

# MINUTES OF THE CITY COUNCIL OF LAUREL

May 3, 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 May 3, 2011.

COUNCIL MEMBERS PRESENT:           Emelie Eaton  
  Kate Hart                   Mark Mace  
  Chuck Rodgers           Chuck Dickerson  
  Tom Nelson               Norm Stamper

COUNCIL MEMBERS ABSENT:           Doug Poehls

OTHER STAFF PRESENT:               Sam Painter

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 April 19, 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:

United States Senator Jon Tester: Letter of April 5, 2011 regarding support for future expansion of Amtrak service in Montana.

Board of Environmental Review of the State of Montana: Notice of public hearing on proposed amendment for public water and sewage system requirements.

Arbor Day Foundation: Letter of April 20, 2011 congratulating Laurel on being named a Tree City USA Community for 2010.

## PUBLIC HEARING:

- Ordinance No. O11-06: An ordinance amending Chapter 8.16 titled "Fireworks" located at Title 8 of the Laurel Municipal Code. (First reading – 04/05/2011)

Mayor Olson asked a member of the Emergency Services Committee to introduce the item to the council.

Council Member Nelson stated that the fireworks ordinance, as it has been proposed, was brought to the Emergency Services Committee by the public. The police chief was very interested to try a change in the fireworks ordinance to see if allowing for a certain period of legal fireworks use in the city would curb some of the calls and free up the officers for other matters in the city.

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

Mayor Olson asked twice if there were any proponents.

Richard Klose, 511 Cottonwood Avenue, stated that "my concern about allowing fireworks is, under the old rules when there wasn't any fireworks allowed in the city, we'd have fireworks going off for a week before and several days after the 4<sup>th</sup> of July and it just seems to me that this wouldn't curb anything unless the police department strictly enforces the times before the 2<sup>nd</sup> of July and after the 4<sup>th</sup> of July to stop all this excess fireworks. And also I'm concerned that maybe when the insurance companies find out that the fireworks are allowed in our city limits that our property insurance might go up. That's what I have for now. Thank you."



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

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

Mayor Olson closed the public hearing.

**CONSENT ITEMS:**

- **Claims for the month of April 2011 in the amount of \$238,672.14.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 04/17/2011 totaling \$176,315.74.**
- **Receiving the Committee Reports into the Record.**
  - Cemetery Commission minutes of April 18, 2011 were presented.
  - Budget/Finance Committee minutes of April 19, 2011 were presented.
  - Emergency Services Committee minutes of April 25, 2011 were presented.
  - Council Workshop minutes of April 26, 2011 were presented.
  - Tree Board minutes of March 17, 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 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.

**CEREMONIAL CALENDAR:** None.

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

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):**

Richard Klose, 511 Cottonwood Avenue, stated that there was a funeral at the Laurel Cemetery for Roger Bromgard yesterday. The area with the flags, the seats and the podium were used for the ceremony and everyone was impressed with the facilities and the way the city has worked to fix up the cemetery. Richard thanked the city for the work at the Laurel Cemetery.

Mayor Olson thanked Richard. He thanked the Cemetery Commission for their diligent work for the cemetery.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments.**

Laurel Ambulance Service:

Mayor Olson appointed Ray Chapa and Kayla Hunt to the Laurel Ambulance Service.

Motion by Council Member Dickerson to approve the Mayor's appointments of Ray Chapa and Kayla Hunt to the Laurel Ambulance Service, 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. R11-33: A resolution of the City Council authorizing the Mayor to sign a contract with ACE Electric, Inc. to install electrical for flag poles at the Laurel Cemetery.**

Motion by Council Member Rodgers to approve Resolution No. R11-33, 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. R11-34: A resolution of the City Council authorizing the Mayor to sign a contract with L & J Machine D/B/A Universal Electric Motor Repair for installation of a new irrigation pump at the Laurel Cemetery.**

Motion by Council Member Eaton to approve Resolution No. R11-34, 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. R11-35: A resolution of the City Council approving a two-year agreement between the City of Laurel and the Local Union known as Local 303, American Federation of State, County and Municipal Employees, AFSCME.**

Motion by Council Member Nelson to approve Resolution No. R11-35, 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. R11-36: 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 Stamper to approve Resolution No. R11-36, seconded by Council Member Nelson. 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. R11-37: A resolution awarding the bid and authorizing the Mayor to sign an agreement with Titan Machinery for the purchase of a sewer jet rodder for the City of Laurel's Public Works Department.**

Motion by Council Member Mace to approve Resolution No. R11-37, 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. R11-38: A resolution approving Change Order No. 3 to the contract with Williams Civil Division, Inc., for the 2010 Water Main Replacement Project and authorizing the Mayor to execute the attached Change Order No. 3 on the City's behalf.**

Motion by Council Member Hart to approve Resolution No. R11-38, 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:**

- Review of Monthly Reports: Police, Fire, Ambulance, and Code Enforcement: None.

Council Member Dickerson asked that the status of the fencing over the generator at Murray Park be discussed at the May 10<sup>th</sup> council workshop.

Council Member Stamper mentioned that Aviation and Technology Week in Laurel is next week. Aircraft will come in and thousands of kids will attend, and it should be a very successful event.

Mayor Olson expressed thanks to Zada Stamper and her staff for their efforts with the event. He believes that the event is the main reason why the City of Laurel has successfully had students accepted into the academy.

Council Member Stamper mentioned that the event received a \$10,000 grant from the Dennis and Phyllis Washington Foundation for transportation of children, which will help transport students

from distances to the event. Participation this year should include people from a larger area than before, as well as more students than in past years. Council Member Stamper stated that the event has drawn a lot of interest and agreed that a high number of Laurel students have been appointed to the academies.

Council Member Nelson stated that he attends the LURA meetings to be informed about their projects, which often tie into the Public Works Committee issues. LURA did not have a quorum at the last meeting but they had business that needed to be addressed. At that time, he suggested that a special meeting be called in order to address the business without waiting a month for the next meeting. The special meeting was held yesterday. Council Member Nelson stated that LURA seems to be working hard to do a lot of improvements for the city.

Mayor Olson attended the special meeting. He stated that LURA discussed the downtown sidewalk improvement program. The city will partner with LURA and CTEP to form the project from East Main on First Avenue all the way out to Alder Avenue. This will be an \$80,000 to \$90,000 sidewalk project. With that project, the large trees that are causing heaving sidewalks will be removed. Trees with silos will be planted so the roots go down instead of out to cause sidewalk problems. This is an opportunity to partner with MDT, as MDT will pick up the CTEP match for the project. City Planner, Heidi Jensen, is spearheading the project and LURA is one of the major components.

Council Member Rodgers stated that the Cemetery Commission would not meet on Monday, May 9<sup>th</sup>, as there is no new business. The Arbor Day tree planting ceremony at the cemetery is on May 14<sup>th</sup>.

Council Member Rodgers asked that the contacts for Riverside Park be discussed at the May 10<sup>th</sup> council workshop.

Council Member Eaton requested two items for the May 10<sup>th</sup> council workshop agenda. She asked for a report from the Emergency Services Committee regarding its discussion of the effects of allowing fireworks on homeowners' insurance. She also asked for a report on the last conversation the city had with the county regarding the differences in the speed limits on East Railroad Street. She noted the communication received from an individual regarding speed limit signs at this location.

Mayor Olson stated that East Railroad Street is currently being considered as one of Yellowstone County's new urban projects. The project would start by Big Sky Nursery and continue to South First Avenue. Upon completion of the project by the County, Mayor Olson thinks it should be the council's consideration to annex the road, especially where half is the County's jurisdiction and half is the city's jurisdiction. The County jurisdiction marks the speed limit at 35 mph going one way and the city's jurisdiction marks the speed limit at 25 mph going the other way. Upon completion of the road to standard, it would be to the council's best interest to annex it and include it in the city's urban funding route for annual funds, as the street should not require any maintenance for awhile.

Council Member Dickerson referenced the letter about which Council Member Eaton spoke. On the map included with the letter, when turning south off Railroad Street onto Southeast 4<sup>th</sup> Street on the west side of Walmart, there are no speed limit signs. He asked that it be reviewed to see if there is a need for speed limit signs and suggested replying to the individual.

Council Member Mace asked if Stefan Streeter is going to do a study on that in addition to the section on West Main.

Mayor Olson met with Stefan Streeter recently but did not mention that subject, so he will contact Stefan to see if that has been accomplished. Mayor Olson recently looked at the Lions Club area where the trees were put in and noticed the issues with the 60 mph speed limit as he turned around to go down on the far west side of the pond. He will contact Stefan and report back to the council.

Mayor Olson stated that, with the joint LURA/CTEP project, Stefan Streeter is looking at the lights on Main Street. LURA was asking about the lights on Main Street and trying to find a decorative pole that would match up with the four poles going out on West Main. If they can meet the candle power required, LURA is interested to find out the cost to see if it could do that project. Mayor Olson mentioned that Stefan Streeter plans to come to Laurel on a quarterly basis to talk about the joint MDT and City of Laurel issues with the streets through the City of Laurel.



Mayor Olson reported on the progress of the CAO position interview process. The committee selected five participants, who were interviewed and are being evaluated. The committee is moving forward cautiously to ensure the right selection. The CAO position should be filled by July 5<sup>th</sup>.

Mayor Olson stated that Council Member Hart, Ward 2, tendered her resignation effective on June 1<sup>st</sup>. He has regretfully accepted her resignation. The city will actively seek a replacement for the council's consideration after June 1<sup>st</sup>.

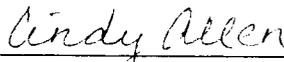
Mayor Olson stated that preliminary budgets will be presented at a budget workshop on May 10<sup>th</sup> at 5:30 p.m. He knows that the council does not want the budget balanced on reserves, and he is going to press that hard to all department heads so the council's wishes are reflected in the budget.

**UNSCHEDULED MATTERS:** None.

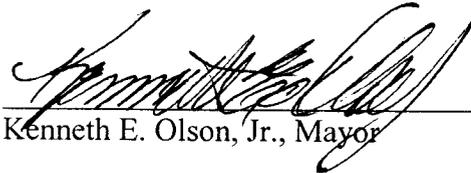
**ADJOURNMENT:**

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

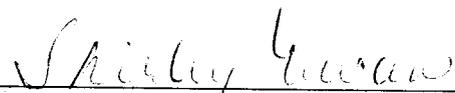
There being no further business to come before the council at this time, the meeting was adjourned at 7:06 p.m.

  
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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 17<sup>th</sup> day of May, 2011.

  
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Kenneth E. Olson, Jr., Mayor

Attest:

  
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Shirley Ewan, Clerk/Treasurer