

MINUTES OF THE CITY COUNCIL OF LAUREL

June 2, 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 June 2, 2009.

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: Mary Embleton
 Sam Painter
 Bill Sheridan

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 Poehls to approve the minutes of the regular meeting of May 19, 2009, 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.

CORRESPONDENCE:

Department of Natural Resources and Conservation: Information regarding DNRC Planning Grants.

Local Emergency Planning Committee: Minutes of May 14, 2009; Agenda of June 11, 2009.

Department of Natural Resources and Conservation: Letter of May 18, 2009 regarding Laurel Water System Improvements.

Montana Department of Environmental Quality: Letter of May 20, 2009 regarding Notice of Final Decision, Montana Pollutant Discharge Elimination System (MPDES) Permit No.: MT0020311.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims for the month of May 2009 in the amount of \$220,430.44.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 05/17/2009 totaling \$144,490.26.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of May 19, 2009 were presented.
 - City-County Planning Board minutes of May 7, 2009 were presented.
 - Council Workshop minutes of May 26, 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 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.**

Mayor Olson requested that the appointment of Charles Crellin as an ambulance attendant be placed on tonight's council agenda.

Motion by Council Member Dickerson to place the appointment of Charles Crellin as an ambulance attendant on tonight's council agenda, 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.

Laurel Volunteer Ambulance Service:

Mayor Olson appointed Charles Crellin as an Ambulance Attendant for the Laurel Volunteer Ambulance Service.

Motion by Council Member Dickerson to appoint Charles Crellin as an ambulance attendance on the Laurel Volunteer Ambulance Service, 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.

Public Works Committee:

Mayor Olson appointed Chuck Dickerson the Public Works Committee.

Motion by Council Member Mace to approve the Mayor's appointment of Chuck Dickerson to the Public Works Committee, seconded by Council Member Poehls. 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.

Insurance and Benefit Committee:

Mayor Olson appointed Alex Wilkins and Chuck Dickerson as the council representatives on the Insurance and Benefit Committee.

Motion by Council Member Stamper to approve the Mayor's appointments of Alex Wilkins and Chuck Dickerson as the council representatives on the Insurance and Benefit Committee, 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.

- **Ordinance No. O09-06: An ordinance amending Chapter 17.48.090 of the Laurel Municipal Code modifying zoning exemptions for establishments serving alcohol. Second reading.**

Motion by Council Member Dickerson to adopt Ordinance No. O09-06, seconded by Council Member Hart. There was no public comment or council discussion. A roll call vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Ordinance No. O09-07: An ordinance of the City of Laurel to amend a portion of Table 17.20.010 of the Laurel Municipal Code entitled Auction House excluding livestock to allow in the Central Business District and Community Commercial District through Special Review. First reading.**

Motion by Council Member Rodgers to adopt Ordinance No. O09-07, seconded by Council Member Wilkins. There was no public comment or council discussion. A roll call vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

The public hearing of Ordinance No. O09-07 will be on the council agenda on June 16, 2009.

- **Resolution No. R09-60: Resolution to annex the entire 60 feet street right-of-way adjacent to 2057 East Maryland Lane that is contiguous to the City of Laurel and owned by Yellowstone County, Montana.**

Motion by Council Member Eaton to approve Resolution No. R09-60, seconded by Council Member Hart. There was no public comment.

Mayor Olson asked the council if there were any questions regarding this issue. There were none.

A vote was taken on the motion to approve Resolution No. R09-60. All eight council members present voted nay. Motion defeated 0-8.

- **Resolution No. R09-62: A resolution approving a Small Services Contract between the City of Laurel and Stevens Brothers Mechanical providing for the installation of a methane gas pump at the Wastewater Treatment Plant.**

Motion by Council Member Stamper to approve Resolution No. R09-62, 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. R09-63: Budget amendment resolution to increase appropriations in the Tax Increment Fund for the Storm Water Project.**

Motion by Council Member Poehls to approve Resolution No. R09-63, 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. R09-64: A resolution of the City Council authorizing the Laurel Police Department and Mayor to apply for and accept a grant from the United States Department of Justice on behalf of the City of Laurel.**

Motion by Council Member Hart to approve Resolution No. R09-64, 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.

- **Motion to give Morrison-Maierle direction regarding the City's Wastewater Rate Study and Water Rate Study.**

Motion by Council Member Mace to direct Morrison-Maierle to utilize the Equivalent Meter Factors, as recommended by the AWWA and SRF Uniform Application, to finalize the City's Wastewater Rate Study and Water Rate Study, seconded by Council Member Poehls. 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.

- **Motion to give the School District direction regarding installation of a water line in Thomson Park.**

Motion by Council Member Rodgers to allow the Laurel School District to install an irrigation line in Thomson Park to provide irrigation at the soccer field located at East Sixth Street in a manner acceptable to the Public Works Director, seconded by Council Member Hart. There was no public comment.

Under council discussion, Council Member Rodgers spoke regarding the letter from the school district. He asked if the spigot line going to the drinking fountain would be completely eliminated.

Mayor Olson deferred to Chief Administrative Officer Bill Sheridan.

Bill stated that he did not know the answer but would try to find out.

Council Member Rodgers stated his concern regarding sanitation issues.

Bill agreed that it would be appropriate to not make contact with the drinking fountain. He thinks that direction will be taken to stay away from the drinking fountain. Bill asked the council to allow him to see if any city personnel were available to answer the question.

Council Member Dickerson stated that that, since the motion included verbiage requiring it to be done "in a manner acceptable to the Public Works Director", the council could continue on.

Council Member Mace stated his concern that installation of a flow back preventer was not mentioned in the letter from the School District. He recently e-mailed his concerns to the clerk/treasurer. He is sure that a flow back preventer is required by plumbing code and he wanted to ensure that it would be installed.

Bill stated that he was unable to provide the information at this time, but the council's stipulations could be followed.

Mayor Olson stated that Council Member Dickerson mentioned that the motion was to allow the irrigation line "in a manner acceptable to the Public Works Director." If the Public Works Director is made aware of the concerns regarding the back flow preventer and the drinking fountain, the issues would be taken into consideration.

Mary Embleton explained that she forwarded Council Member Mace's concern and statement to the Public Works Director. The Public Works Director verbalized to her that the back flow preventer is part of the standards that would be followed in the city's rules and regulations, so that will be addressed.

Council Member Rodgers stated that his concern is the safety factor with the water spigot. If the water spigot will not be hooked up, that is fine. But if it will be hooked up, the safety factors need to be considered.

Mayor Olson stated that both concerns would be forwarded to the Public Works Director for direction.

Mayor Olson stated that the motion as stated is to allow the Laurel School District to install an irrigation line in Thomson Park to provide irrigation at the soccer field located at East Sixth Street in a manner acceptable to the Public Works Director.

There was a call for the question. 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:

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

Council Member Dickerson stated that the County will overlay the section of pavement on Valley Drive from the new bridge off 12th Street going north to Beartooth on Wednesday and Thursday.

Council Member Eaton stated that she recently placed an item on the next council workshop agenda regarding curbs and gutters and a matter between two neighbors. Today she wrote a note regarding a matter discussed at the Tree Board meeting and requested that the issue be added to next week's council workshop agenda.

Mayor Olson asked Bill Sheridan to report on the City of Laurel's transit opportunity.

Bill Sheridan stated that the Montana Department of Transportation allocated \$110,000 for the City of Laurel to purchase two vehicles and bike racks that fit on the vehicles. One vehicle is a bus and

the other one is a large van. This will support a consultant's direction to start small with one bus and one other vehicle to transport people to the City of Billings and other areas. The consultant will complete his work and have other recommendations for the city to follow. His expectation is to be conservative. The city could receive additional vehicles in the future if needs in the community are expanded and connections with neighboring communities increase. Bill invited anyone to attend the next transit meeting.

James Caniglia stated a public meeting is scheduled on Monday, June 29th, and the Transit Advisory Committee will meet on Tuesday, June 30th, at 9:00 a.m. Council Members Dickerson and Eaton have attended the meetings. The Transit Advisory Committee will give a presentation about the feasibility and demographics at the council workshop on June 30th. This is third phase of four phases, and the dates have not yet been set for the final meeting and completion of the Transit Development Plan. The transit program could begin on January 1, 2010, or at the beginning of the fiscal year starting July 1, 2010.

Bill asked James if the city could take advantage of the use of the vehicles if the city completed more of the work and started some kind of basic transportation system.

James will find out the answer to the question.

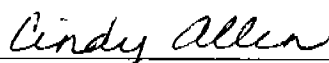
Mayor Olson thanked Bill and James for their work in securing the grant to provide another service to the community.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

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


There being no further business to come before the council at this time, the meeting was adjourned at 7:00 p.m.


Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 16th day of June, 2009.


Kenneth E. Olson, Jr., Mayor

Attest:


Mary K. Embleton, Clerk-Treasurer