

MINUTES OF THE CITY COUNCIL OF LAUREL

June 15, 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 June 15, 2010.

COUNCIL MEMBERS PRESENT:

Kate Hart	Doug Poehls
Chuck Rodgers	Mark Mace
Alex Wilkins	Chuck Dickerson
	Norm Stamper

COUNCIL MEMBERS ABSENT:

Emelie Eaton

OTHER STAFF PRESENT:

Bill Sheridan	Kurt Markegard
Sam Painter	James Caniglia
	Jan Faught

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 items 10. f. and 10. g., Resolution No. R10-72 and Resolution No. R10-73, from the council agenda.

MINUTES:

Council Minutes of June 1, 2010.

Motion by Council Member Wilkins to approve the minutes of the regular meeting of June 1, 2010, 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.

Council Minutes of June 8, 2010.

Motion by Council Member Rodgers to approve the minutes of the regular meeting of June 8, 2010, 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:

CHS Refinery: Letter of May 28, 2010, to DEQ regarding Response to Observed Oily Film on Ground Water at the City of Laurel Wastewater Treatment Plant Adjacent to the Laurel Refinery CHS Inc.

Newsline: June 2010 Newsletter of the Montana Department of Transportation Rail, Transit & Planning Division.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of May 2010.**
- **Approval of Payroll Register for PPE 05/30/2010 totaling \$164,524.12.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of June 8, 2010 were presented.

--City-County Planning Board minutes of June 3, 2010 were presented.

--Public Works Committee minutes of June 7, 2010 were presented.

--Council Workshop minutes of June 8, 2010 were presented.

--Laurel Urban Renewal Agency minutes of April 19, 2010 were presented.

--Laurel Airport Authority minutes of April 27, 2010 were presented.

--Laurel Urban Renewal Agency minutes of May 17, 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 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Elliott Grayson, 600 Byam Road, stated that he wanted to speak about Resolution No. R10-77.

Mayor Olson asked Elliott to wait to speak until the agenda item was presented and public comment was requested.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Board of Appeals:

Mayor Olson reappointed Robert Western, Miles Walton, and Marvin Carter to terms ending June 30, 2012 on the Board of Appeals.

Motion by Council Member Dickerson to approve the Mayor's reappointments of Robert Western, Miles Walton, and Marvin Carter to terms ending June 30, 2012, on the Board of Appeals, 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.

Cemetery Commission:

Mayor Olson reappointed Chuck Rodgers, Wallace Hall, and LuAnne Engh to terms ending June 30, 2012 on the Cemetery Commission.

Motion by Council Member Poehls to approve the Mayor's reappointments of Chuck Rodgers, Wallace Hall, and LuAnne Engh to terms ending June 30, 2012 on the Cemetery Commission, 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.

Library Board:

Mayor Olson reappointed Bruce McCullough to a term ending June 30, 2015 and appointed Lisa Russell to fill a term ending June 30, 2013 on the Library Board.

Motion by Council Member Mace to approve the Mayor's reappointment of Bruce McCullough to a term ending June 30, 2015 and appointment of Lisa Russell to fill a term ending June 30, 2013 on the Library Board, 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.

Tree Board:

Mayor Olson reappointed Pat Hart and Chuck Rodgers to terms ending June 30, 2013 on the Tree Board.

Motion by Council Member Dickerson to approve the Mayor's reappointments of Pat Hart and Chuck Rodgers to terms ending June 30, 2013 on the Tree Board, 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.

City-County Planning Board:

Mayor Olson reappointed Greg Nelson (Member-at-Large), David Schreder (Mayor appointment), Dan Koch (Council appointment) to terms ending June 30, 2012 on the City-County Planning Board.

Motion by Council Member Stamper to approve the reappointments of Greg Nelson (Member-at-Large), David Schreder (Mayor appointment), and Dan Koch (Council appointment) to terms ending June 30, 2012 on the City-County Planning Board, 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.

Fire Chief: Brent Peters

Mayor Olson appointed Brent Peters as the Fire Chief for the Laurel Volunteer Fire Department, effective June 9, 2010.

Motion by Council Member Wilkins to approve the Mayor's appointment of Brent Peters as the Fire Chief for the Laurel Volunteer Fire Department, 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.

Mayor Olson stated that there is one more vacancy on the City-County Planning Board. Interested individuals should submit a letter of interest for the position.

- **Resolution No. R10-50: A resolution of the City Council conditionally approving Jack and Paulette Roma's request for a right-of-way easement across certain City property to construct and maintain a private road for the purpose of ingress and egress access to their property.**

Motion by Council Member Rodgers to disapprove Resolution No. R10-50. The motion died for lack of a second.

Motion by Council Member Dickerson to approve Resolution No. R10-50, seconded by Council Member Stamper. There was no public comment.

Council Member Rodgers stated that the council received great input from the city planner, the CAO and the public works director regarding this issue, and he feels strongly that the council should look at the information. He stated that two other accesses are available to the property.

Council Member Mace asked regarding the paved road. The resolution states that "the private road must be either paved or surfaced with millings provided it is designed by a professional engineer and constructed pursuant to Montana Public Work Standards."

Council Member Dickerson agreed that great input was received from the city staff, but he thought the council was in agreement regarding the issue at last week's council workshop. He stated that the conditions for the right-of-way easement are satisfactory to Mr. Roma and the other accesses are not feasible at this time.

A vote was taken on the motion. Council Members Poehls, Mace, Dickerson, Stamper and Hart voted aye. Council Members Rodgers and Wilkins voted nay. Motion carried 5-2.

- **Resolution No. R10-69: A resolution approving Change Order No. 1 with Four Beers, Inc., DBA Stillwater Excavating, to allow an additional seven days for substantial**

completion of the Seventh Street Drainage Project due to adverse weather conditions and authorizing the Mayor to execute the attached Change Order No. 1 on the City's behalf.

Motion by Council Member Hart to approve Resolution No. R10-69, 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. R10-70: A resolution approving Amendment No. 2 to the previously adopted Task Order No. 10, approving an increase in the design, bidding and construction phases of the 2009 Street Maintenance Project.**

Motion by Council Member Poehls to approve Resolution No. R10-70, 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. R10-71: A resolution approving an agreement between the City of Laurel and the City of Billings relating to solid waste disposal.**

Motion by Council Member Poehls to approve Resolution No. R10-71, 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. R10-74: A resolution approving an agreement between the City of Laurel and the Laurel Airport Authority, relating to fire protection.**

Motion by Council Member Stamper to approve Resolution No. R10-74, 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. R10-75: A resolution approving an agreement between the City of Laurel and Yellowstone Boys and Girls Ranch, said agreement relating to fire protection.**

Motion by Council Member Wilkins to approve Resolution No. R10-75, 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. R10-76: Resolution of the City Council to create a position called the Environmental Health and Safety Officer and to adopt a job description for such position.**

Motion by Council Member Rodgers to approve Resolution No. R10-76, 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. R10-77: Resolution of the City Council to create a position called the Chief-Emergency Medical Services and to adopt a job description for such position.**

Motion by Council Member Hart to approve Resolution No. R10-77, seconded by Council Member Stamper.

Elliott Grayson, 600 Byam Road, spoke regarding the job description for a Chief-Emergency Medical Services. He does not believe that the city has the revenue to go forward with this because the city was previously unable to obtain a Medical Director for \$5,000 to continue providing more than BLS service in Laurel. He spoke regarding the lack of information given to the public and city council regarding the use of AMR and the Laurel Ambulance standards. The standards over the last twelve months have dramatically increased so the use of AMR and the need for a paramedic ambulance fell to 6 calls out of 881. He sees money possibly being thrown at something that has no benefit to the city. Without a Medical Director, the ambulance cannot move forward. If the goal is to remove the ambulance over the next few months and bring in an outside entity, he suggests that the City of Laurel talk to agencies that deal with AMR. He knows that the city has been in talks with AMR for some time. It is not worth the money that is paid out. Currently, the City of Laurel has

two paramedics that have their hands tied because the city does not have a medical director. The medical director's biggest concern was that the city pay for his medical insurance. Currently, one in eight calls requires a second ambulance. By contracting with AMR, there would be no guarantee that a second ambulance would be available. Response times for an additional ambulance in this area would be anywhere from 20 to 45 minutes to an hour, depending on if a truck is available. He stated that the City of Billings deals exclusively with AMR and that the Lockwood Fire and Rescue has had to cover calls in the City of Billings that AMR cannot cover. In November 2009, all the staffing positions at the Laurel Ambulance were removed and the workload was given to one person with the promise of another full-time or part-time employee to help cover those positions, but that never happened. By going to a paramedic service with AMR, the city will lose its EMT's and will not get them back. The city tried to put six firemen through an EMT course in an effort to build the fire department into an EMS with more EMT's. Only 3 out of the 35 people that were offered the class can possibly finish it. The city wants to bring in a paramedic to direct the ambulance but this will not resolve the problem of no medical director. Elliott stated that there is not a state guideline anywhere that says a paramedic is needed as a medical director of emergency services. The starting rate right now for a street medic is \$34,000 a year. This position would cost the city over \$50,000. For about \$30,000, the service could have a medical director. He does not see the allocation of money in the right places. An extra five minutes or ten minutes could mean the difference between life and death in the city. It boggles his mind to understand where the city is going or why the city cannot approve \$5,000 to keep the ambulance running at the highest level available to the city. Lockwood runs a full-time paramedic service and full-time fire department and has half as much call volume as the City of Laurel. Elliott asked the council to review this further before making a decision.

Rhonda Grayson, 404 Byam Road, spoke regarding two personal experiences with the Laurel Ambulance Service. She stated that the attendants volunteer their time because they like to help people, not for the money. If the city lets go of the Laurel Ambulance, there will be people that will not make it to wait for AMR. The service is working towards having paramedics. She encouraged the council to do its homework and talk to the people on the EMT side to find out how much they value the service that Laurel provides.

Council Member Dickerson asked regarding the comments about doing away with Laurel Ambulance and contracting with AMR.

Mayor Olson stated that Laurel is providing the best possible service. If there should be a change in the way the ambulance is structured and the volunteers decided not to stay, the city would need to insure that the service continues to be provided to the community. The intent going forward is to insure that there is coverage no matter what should happen. Mayor Olson stated that it has never been his intent to bring AMR in. It is only his intent to insure service to the city if the volunteer ambulance people should decide not to continue. It is not his intent to do away with the volunteers.

Council Member Dickerson stated that the job description would create a position, not get rid of the ambulance service.

Mayor Olson stated that the intent is to insure the city can move forward with medical service to the community. The city does not want AMR to take over the service, but if everyone quits, the city has to provide service to the citizens in the interim.

Russ Kepferle, 958 Governor's Boulevard in Billings, who has worked for the ambulance service for ten years, stated that he understands the concern. The ambulance attendants respond to a scene and determine if AMR or the HELP Flight is needed. The ambulance service is dedicated to this city.

Terie Obritschkewitsch, who lives in Molt, stated that the ambulance service did not get a lot of support after the full-time fire chief was hired. Now it looks like the ambulance director might leave, and the service needs the council's support. If the council would talk to community members and crew members, it would find out that Laurel has an awesome service.

Mayor Olson stated that the city has had contact with a medical director. He stated that he does not doubt the sincerity of the volunteers.

Council Member Poehls stated that the mayor and CAO reviewed the job description, but the Emergency Services Committee should also review it for input. He stated that more input and research is needed.



Legal Counsel stated that the council could vote down the motion on the floor or postpone action to a date certain.

Motion by Council Member Dickerson to postpone council action on Resolution No. R10-77 for discussion by the Emergency Services Committee on June 28th, discussion by the council on June 29th, and final action at the council meeting on July 6th, seconded by Council Member Hart.

Council Member Poehls stated that he would give a presentation at the council workshop on June 28th, as it would be the day after the Emergency Services Committee meeting and the minutes might not be finished.

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:

Council Member Poehls and Mayor Olson will represent the council at a Town Hall meeting on June 21st at 7:00 p.m. The meeting was scheduled by non-city residents to discuss the city's water resale rates. The County Commissioners were also invited to attend the meeting.

Council Member Dickerson spent time with the Maintenance Superintendent last week and was impressed with the employee's knowledge of the issues at hand and his areas of responsibility. Council Member Dickerson asked the Public Works Director to pass along his appreciation to the employee.

Mayor Olson informed the council that he recently signed a small service contract with ACE Electric for electrical work in the council chambers. He also signed a small service contract with Community Lawn Care to spray at the city's cemetery.

Mayor Olson stated that an individual with experience as a clerk/treasurer has been hired on a temporary basis. The individual has submitted an application and will be considered during the interview and hiring process.

The City of Laurel and the Montana Department of Transportation will meet on Friday to discuss the west Laurel interchange. Stefan Streeter will attend the meeting.

The council is scheduled to tour the wastewater facilities on Tuesday, June 22nd. Council members should meet at city hall at 6:00 p.m.

Mayor Olson stated that the two resolutions regarding the bus transit system that were pulled from tonight's council agenda need to be approved by July 1st. Since MDT sent the wrong contract to the City of Laurel, the items were removed. Mayor Olson stated that information will be distributed to the council as soon as possible. After the tour on June 22nd, there could be discussion regarding the two items. A special council meeting would be needed on June 29th in order to finalize the contracts.

UNSCHEDULED MATTERS:

Mayor Olson explained that a member of the Yellowstone County Veterans' Cemetery Board asked the City of Laurel for a letter of support for their request for the cemetery to become a National Cemetery. The letters will be sent to Washington, D.C. within the next few weeks. A draft letter was distributed for the council's review.

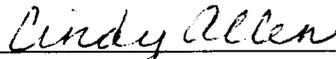
Motion by Council Member Mace to allow the Mayor to sign the letter of support for the Yellowstone County Veterans' Cemetery, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

ADJOURNMENT:

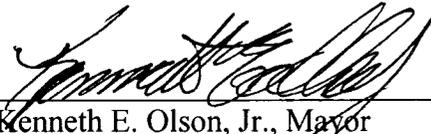


Motion by Council Member Mace to adjourn the council meeting, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:43 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 6th day of July, 2010.


Kenneth E. Olson, Jr., Mayor

Attest:


Cathy Gabrián, Deputy Clerk