

MINUTES OF THE CITY COUNCIL OF LAUREL

July 19, 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 July 19, 2011.

COUNCIL MEMBERS PRESENT: Emelie Eaton Doug Poehls
 Bruce McGee Mark Mace
 Chuck Rodgers Chuck Dickerson
 Tom Nelson Norm Stamper

COUNCIL MEMBERS ABSENT: None

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 Dickerson to approve the minutes of the regular meeting of July 5, 2011, as presented, 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.

CORRESPONDENCE: None.

PUBLIC HEARING: None.

The Mayor entertained a motion to add ExxonMobil's request for work on city owned property to tonight's agenda under Scheduled Matters, item g.

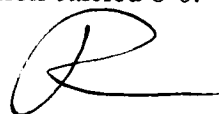
Motion by Council Member McGee to add ExxonMobil's request for work on city owned property to tonight's agenda under Scheduled Matters, item g, seconded by Council Member Stamper. All eight council members present voted aye. Motion carried 8-0.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of June 2011.**
- **Approval of Payroll Register for PPE 07/10/2011 totaling \$177,072.92.**
- **Receiving the Committee Reports into the Record.**
 - Emergency Services Committee minutes of June 27, 2011 were presented.
 - Budget/Finance Committee minutes of July 5, 2011 were presented.
 - Park Board minutes of July 7, 2011 were presented.
 - Council Workshop minutes of July 12, 2011 were presented.
 - Laurel Airport Authority minutes of May 24, 2011 were presented.

The mayor asked if there was any separation of consent items. There was none.

Motion by Council Member Mace 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 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.**

Laurel Ambulance Service:

Mayor Olson said three names were submitted for appointment to the Ambulance service but Brooke Murphy's name has been pulled.

Mayor Olson appointed Heather Fitzhugh and Camille Miller to the Laurel Ambulance Service.

Motion by Council Member Poehls to approve the Mayor's appointments of Heather Fitzhugh and Camille Miller to the Laurel Ambulance Service, 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. R11-58: A resolution of the City Council authorizing the release of funds from the Tax Increment Financing District Fund for façade improvements for the Laurel Movie Haus.**

Motion by Council Member Rodgers to approve Resolution No. R11-58, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. Council Member Eaton voted nay. Motion carried 7-1.

- **Resolution No. R11-59: A resolution of the City Council authorizing the mayor to sign a Memorandum of Understanding for Operation and Cost Sharing for Public Transportation Services with the Yellowstone County Council on Aging.**

Motion by Council Member Stamper to approve Resolution No. R11-59, 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. R11-60: 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 Southeast 4th Street Special Improvement District.**

Motion by Council Member Rodgers to approve Resolution No. R11-60, 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.

- **Resolution No. R11-61: Resolution relating to Special Improvement District No. 113; Declaring it to be the intention of the City Council to create the District for the purpose of undertaking certain local improvements and financing the costs thereof and incidental thereto through the issuance of Special Improvement District Bonds secured by the City's Special Improvement District Revolving Fund.**

Motion by Council Member McGee to approve Resolution No. R11-61, 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 form a task force.**

Motion by Council Member Nelson to request the Mayor to form a council task force for the purpose of working to encourage Pacific Steel to consider purchasing or leasing appropriate property in or near the City of Laurel for purposes of operating its car crushing operations to help stimulate the City's economy, with the following members: Council Members Poehls and Eaton, Mayor



Olson, Ward Thurman, Linda Frickel and a representative from Yellowstone Bank, 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.

Mayor Olson appointed Council Member Poehls as the chairman of the committee and he will be in charge of setting up the meeting.

- **ExxonMobil's request for work on city owned property.**

Motion by Council Member McGee to permit ExxonMobil to enter city owned property to perform work at the location identified on the map attached to ExxonMobil's letter to Mayor Olson, dated July 16, 2011, with the understanding that all work must be performed pursuant to the terms and conditions contained in the July 16, 2011 letter, seconded by Council Member Poehls.

Mayor Olson asked for any public comment.

Dave Kingston, 12851 E. 166th Street, Cerritos, California, is here representing ExxonMobil. Dave thanked Mayor Olson and the council for their consideration to allow this item to be added to the consent agenda. Dave also thanked the City of Laurel for their co-operation on the incident on July 1st and for allowing the school to be used as a meeting area for the public meeting. He apologized, on behalf of ExxonMobil, for the incident and will work with the city to get the issue resolved. Dave turned it over to Justin Carr, Exxon's Project Execution Engineer.

Justin Carr, 4617 Tonawanda Drive, Houston, Texas, also thanked the council for allowing this item on the agenda. The purpose of the technical borings are so they can develop a soil profile and obtain enough data so they can plan the safest and most environmentally friendly drilling possible. Since they are penetrating the ground, they want to know exactly what they are penetrating into.

Mayor Olson asked Kurt Markegard, Public Works Director, to come forward and state the conditions of which the City of Laurel will allow drilling in the park.

Kurt Markegard met with Justin Carr and went over the areas that have been identified on the map as proposed locations. Kurt said we do not know exactly where the different utilities are in the park so he asked that Exxon hydro-excavate down at least six feet, to prevent penetrating any utilities. The locations look good; there are no encumbrances on the park land. Exxon is trying to do the drilling in roadways so there is little or no disturbance to grass, trees or vegetation.

Doug asked if this is preliminary work to a line boring operation that would put a new line under the river.

Justin Carr stated that is the main reason for doing this.

In response to a question from Chuck Dickerson, Justin said they expect to be at least 30 feet below the channel, as they knew in December 2010. They will verify to make sure they maintain that depth.

Chuck Dickerson thanked Exxon for the professionalism they have shown to the citizens and retail establishments in town. He has heard nothing but favorable comments from those who have had contact with Exxon personnel. This speaks for their integrity and Chuck asked that this be passed on to those people. Chuck invited them back to celebrate the 4th of July with us under better circumstances.

Mayor Olson asked what size of pipe will be buried when this project goes forward.

Justin said it will be 12 inch nominal, which is 12.75 inch outer diameter steel pipe. It will be carbon steel with a grade of X42, which is 42,000 pounds per square inch of resistance.

Chuck inquired whether Exxon could choose either dot on the map as the location to go under the river. Justin said they will have to use the location furthest from the river. He explained where their above ground valve is currently located and approximately where they would connect to the existing connection. It will be a sub-surface connection, at the existing elevation.

Question was called for on the motion. All council members present voted aye. Motion carried 8-0.

Mayor Olson echoed the council's sentiments, inviting Exxon back to Laurel for our impressive 4th of July show. It is encouraging to see those who are willing to spend the time to do this cleanup correctly and professionally. He extends the city's hope, that we can work through the trying times and move past this to a brighter partnership.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Member Mace said he may be gone for the council workshop, as he will be on the road.

Mayor Olson said there are no scheduled budgets for next week so the meeting will be at 6:30 p.m.

Council Member Dickerson commented on the potholes in areas of town and asked that this be put on the workshop agenda.

Mayor Olson said we have a task order going forward at the next council workshop. This will be a continuation of work done by Blacktop Inc., who did all the work on the east end and partial work on the west end. The council will be asked to sign a letter of agreement for the task order. They will address the worst potholes and areas in town. Mayor Olson reminded the council and the public to call the Public Works secretary with problem areas and she will put them on a list. The Maintenance Director will then determine which areas will be done in a route that is most efficient.

It was questioned whether we can set priorities and Mayor Olson said we run into problems if we do this. It is best left up to the Public Works Department to make these decisions.

Council Member Stamper asked about an appointment to the Park Board and the Mayor said it is on the agenda for the next meeting. Council Member Stamper also asked to have a discussion regarding salvaging the log cabin in Riverside Park and would like it put on the workshop agenda.

Mayor Olson said the cabin has great historical significance and he asked Kurt not to let it fall in the river. Yellowstone County DEQ Coordinator, Duane Winslow, states that if we have something that could cause a catastrophic event in the river, we would need to set fire to it or destroy it before it goes in the river. The Mayor said he has had many conversations with Kurt about this. Last Sunday, Kurt was able to move it off the foundation and back far enough to not be in eminent danger. The bottom boards had rotted enough to allow it to be separated from the foundation, yet the chinking is in good shape and held the cabin together.

Council Member Stamper said the Park Board has had discussions regarding the cabin.

Council Member Nelson stated he and Norm Stamper have discussed the function of the gun club. Tom would like this item put on the agenda for the workshop and have the Mayor look at other appointments he would like to make to the task force.

Council Member Rodgers said vehicles traveling east on 12th Street are swerving to the north, into oncoming traffic, to avoid the potholes.

Council Member McGee said as a past LURA board member, he would like to thank the city council for supporting LURA in their first façade improvement. Due to prior commitments, he will be unable to attend the workshop on July 26th.

Mayor Olson said the prep work for the painting of city hall has been completed. The work looks good but there are a couple spot that were missed. The Eagle Scouts will start painting this weekend and they have offered the opportunity for anyone who is interested to come down and give them guidance. They will work from 7:30 – 10 a.m. and then again from 6 – 9 p.m. on Saturday and Sunday. The bill for the prep work came in under a thousand dollars.


Mayor Olson gave an update on the budget, stating they are still working with the department heads. Revenues and expenditures are not balanced and they will continue working hard to make this happen.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

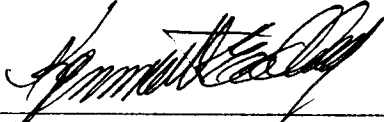
Motion by Council Member Dickerson to adjourn the council meeting, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 7:12 p.m.



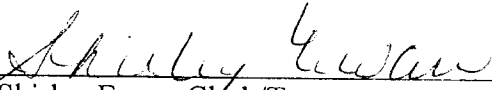
Cathy Gabrián, Deputy Clerk

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 2nd day of August, 2011.



Kenneth E. Olson, Jr., Mayor

Attest:



Shirley Ewan, Clerk/Treasurer