

# MINUTES OF THE CITY COUNCIL OF LAUREL

July 21, 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 July 21, 2009.

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

COUNCIL MEMBERS ABSENT:           Alex Wilkins

OTHER STAFF PRESENT:               Sam Painter             James Caniglia

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 Eaton to approve the minutes of the regular meeting of July 7, 2009; as presented, 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.

## CORRESPONDENCE:

Montana Department of Transportation: Letter of July 6, 2009, regarding 2009-2013 Draft Statewide Transportation Improvement Program.

Bright n' Beautiful: Minutes of June 17, 2009.

## PUBLIC HEARING:

- Ordinance No. 009-08: An ordinance approving the recodification of ordinances adopted by the City Council that have been compiled as the "Laurel Municipal Code" in accordance with MCA § 7-5-107. (First reading – July 7, 2009)

Mayor Olson stated that city ordinances are recodified every year.

Mayor Olson opened the public hearing.

Mayor Olson asked three times if there were any 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:

- **Clerk/Treasurer Preliminary Financial Statements for the month of June 2009.**
- **Approval of Payroll Register for PPE 07/12/2009 totaling \$183,519.45.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of July 7, 2009 were presented.

--City-County Planning Board minutes of July 2, 2009 were presented.



--Public Works Committee minutes of July 13, 2009 were presented.

--Council Workshop minutes of July 14, 2009 were presented.

--Laurel Urban Renewal Agency minutes of June 22, 2009 were presented.

--Laurel Public Library Board of Trustees minutes of May 12, 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 seven council members present voted aye. Motion carried 7-0.

**CEREMONIAL CALENDAR:** None.

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

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

Bill Kampfer, 119 East 5<sup>th</sup> Street, spoke regarding First Avenue. When driving down First Avenue, he has noticed that it is wide enough for two lanes. However, he cannot figure out if the right lane is for parking or for turning right. He has asked two policemen and received two different answers. Bill asked if this could be clearly marked with a sign or white lines. There is a white line at the beginning of First Avenue, but the line does not continue beyond that point. Bill stated that it might be reviewed to save problems in the future.

Mayor Olson stated that First Avenue is a State route. The issue and possible notification to MDT could be discussed at the next council workshop.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments.**

Laurel Library Board:

Mayor Olson appointed Nathan Baillet to the Laurel Library Board for a five-year term ending June 30, 2014.

Motion by Council Member Dickerson to approve the Mayor's appointment of Nathan Baillet to the Laurel Library Board for a five-year term ending June 30, 2014, 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.

- Request by Randy Peers to seek annexation of less than one city block for his business, SID's Place, and to require an annexation agreement prior to the annexation of the property.

Motion by Council Member Mace to approve the request of Randy Peers to seek annexation of less than one city block for his business, SID's Place, and to require an annexation agreement prior to the annexation of the property, 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.

- Request by Randy Peers to upsize his existing water service at SID's Place, pursuant to the City's water regulations.

Motion by Council Member Poehls to authorize Randy Peers to upsize his existing water service at SID's Place, pursuant to the City's water regulations, 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.

- **Ordinance No. O09-09:** Ordinance to amend the official zoning map of the City of Laurel, Montana, to change the zoning designation of a parcel of property located in Yellowstone County from Residential Manufactured Home to Light Industrial Zoning. First reading.

Motion by Council Member Rodgers to adopt Ordinance No. O09-09, seconded by Council Member Hart. There was no public comment.

Council Member Dickerson asked that the actual location be stated for the record.

Mayor Olson stated that Ordinance No. O09-09 includes the general description:

“ . . . the property is owned by Cenex Pipeline/Circle Land Management, Inc. and is located just north of South 9<sup>th</sup> and Interstate 90, between South 8<sup>th</sup> Avenue and Yellowstone Avenue and is further described as: “S16, T02S, R24E, 1222; Tract A-1, COS 1222.”

Council Member Poehls asked City Planner James Caniglia regarding the City-County Planning Board's recommendation.

James stated that the City-County Planning Board recommended moving this item forward to the City Council with a recommendation that the council carefully consider the minutes. The Planning Board had a 5-2 vote on the issue. Two members were not in favor of the zone change and the five who voted in favor had a lot of concerns regarding traffic. Essentially, the Planning Board wanted those concerns conveyed to the council so the council would carefully read the minutes and the discussion of the traffic issues.

A roll call vote was taken on the motion to adopt Ordinance No. O09-09. All seven council members present voted aye. Motion carried 7-0.

The public hearing of Ordinance No. O09-09 will be on the council agenda on August 4, 2009.

- **Resolution No. R09-79:** 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. R09-79, 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. R09-80:** A resolution approving the attached Task Order No. 14 authorizing Great West Engineering to prepare a Preliminary Engineering Report and conduct site investigations for the Old Laurel Dump Project.

Motion by Council Member Rodgers to approve Resolution No. R09-80, 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. R09-81:** A resolution authorizing the Mayor to sign a change order to authorize Hardrives Construction to perform additional work on the 2009 Street Maintenance Project.

Motion by Council Member Eaton to approve Resolution No. R09-81, 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. R09-82:** A resolution authorizing the Mayor to sign a contract with the Montana Department of Commerce Treasure State Endowment Program for the City's water system improvements project.

Motion by Council Member Hart to approve Resolution No. R09-82, seconded by Council Member Eaton. 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. R09-83:** Resolution of intention of the City of Laurel, Montana, to increase the rates and charges for the users of the Municipal Water System.

Motion by Council Member Dickerson to approve Resolution No. R09-83, seconded by Council Member Stamper. 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. R09-84: A resolution of the City Council approving a public road easement for the construction of an access road through City property.**

Motion by Council Member Mace to approve Resolution No. R09-84, seconded by Council Member Poehls. There was no public comment.

Mayor Olson spoke regarding a map that was distributed to the council. The map showed the container site and the proposed road. The black line on the map indicated the road that will be added to the easement to provide an entrance and exit road for the container site. At the previous council workshop, Public Works Director Kurt Markegard explained that MDT wants the road that enters Buffalo Trail at a 90-degree angle. Mayor Olson stated that this would allow the 90-degree angle entrance to Buffalo Trail and allow for a safer exit at the container site.

There was a brief discussion regarding paving of the road. Mayor Olson stated that the road would be paved, as listed in the conditions of the Public Road Easement.

A vote was taken on the motion to approve Resolution No. R09-84. 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 will contact Derek Yeager to determine if the Emergency Services Committee needs to meet on Monday.

Council Member Dickerson stated that Bright n' Beautiful has scheduled a banquet in October. Bright n' Beautiful is looking for nominees for business owners and/or residents that have done an outstanding job of beautifying their business or residence. Nominations should be given to Council Member Dickerson.

Council Member Dickerson mentioned the Gay Easton Memorial Dedication on Wednesday, July 22<sup>nd</sup>, from 11:30 to 1:00 p.m. in Murray Park.

Council Member Dickerson stated that Shakespeare in the Park is scheduled on Wednesday at 6:00 p.m.

Council Member Stamper asked when the dirt pile resulting from the excavation of the playground equipment would be removed from Nutting Park. This issue will be added to the July 28<sup>th</sup> council workshop agenda.

Council Member Eaton asked that discussion of the electrical issues in the council chambers be added to the next council workshop agenda.

Council Member Eaton mentioned the invitation to a BBQ honoring the 100<sup>th</sup> anniversary of the Laurel Fire Department on August 22<sup>nd</sup>.

Council Member Eaton stated that the update of last year's centennial book is available at the Laurel Library and Blessed Beginnings. The book was dedicated to Gay Easton.

Mayor Olson asked Bill Kampfer if his earlier comment was about First Avenue from Main to 12<sup>th</sup> Street.

Bill stated that it was. First Avenue is wide enough for two cars, but he knows that four cars should not drive down the road. It is not clear whether cars should be in the right hand lane to turn right or if it is acceptable to pass a left-turning vehicle on the right. He stated that there is no clear indication

for control of traffic there. Bill asked two policemen if he could go in the right hand lane to turn right, and one said yes and one said no.

Mayor Olson stated that staff would get a clear answer back to him as soon as possible.

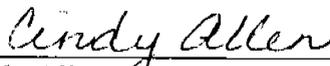
Council Member Dickerson asked that trees in boulevards be discussed at the next council workshop.

**UNSCHEDULED MATTERS:** None.

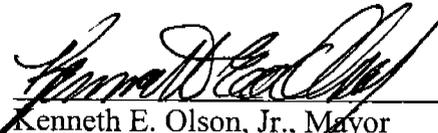
**ADJOURNMENT:**

Motion by Council Member Poehls 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 seven council members present voted aye. Motion carried 7-0.

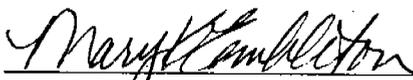
There being no further business to come before the council at this time, the meeting was adjourned at 7:00 p.m.

  
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Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 4<sup>th</sup> day of August, 2009.

  
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Kenneth E. Olson, Jr., Mayor

Attest:

  
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Mary K. Embleton, Clerk-Treasurer