

MINUTES OF THE CITY COUNCIL OF LAUREL

November 3, 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 November 3, 2009.

COUNCIL MEMBERS PRESENT: Emelie Eaton Doug Poehls
 Kate Hart Mark Mace
 Chuck Rodgers Chuck Dickerson
 Alex Wilkins

COUNCIL MEMBERS ABSENT: Norm Stamper

OTHER STAFF PRESENT: Mary Embleton Derek Yeager
 Sam Painter Kurt Markegard
 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 Wilkins to approve the minutes of the regular meeting of October 20, 2009, 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.

CORRESPONDENCE:

Montana Department of Commerce: Information regarding public meetings on Montana's Consolidated Plan & MDOC 5-year PHA Plan.

Montana Department of Revenue: Letter of October 15, 2009, regarding Application for Transfer of Ownership of All-Alcoholic Beverages with Catering Endorsement License No. 03-044-9403-002, PALACE BAR OF LAUREL, 303 East Main Street, Laurel, Yellowstone County, Montana.

Cable Montana: Service Reports for July – September 2009.

RiverStone Health: Letter of November 19, 2009, regarding the City of Laurel's Board of Health position.

Letter dated October 23, 2009, from Yellowstone County Attorney regarding Nutting Drain.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Claims for the month of October 2009 in the amount of \$513,201.85.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 10/18/2009 totaling \$156,470.95.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of October 20, 2009 were presented.
 - Council Workshop minutes of October 27, 2009 were presented.
 - Emergency Services Committee minutes of October 26, 2009 were presented.

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--Laurel Urban Renewal Agency minutes of September 28, 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): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments:** None.
- **Resolution No. R09-119:** A resolution of intent for the City Council to declare Fire Engine 3 used by the Fire Department as surplus property and authorize its sale to the Molt Fire Department.

Motion by Council Member Rodgers to approve Resolution No. R09-119, 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. R09-120:** A resolution approving Change Order No. 2 for Phase II of the Laurel Water System Improvements Project for the installation of separation/stabilization fabric on 8th Street from Pennsylvania to Wyoming Avenues and authorizing the Mayor to execute the attached Change Order No. 2 on the City's behalf.

Motion by Council Member Eaton to approve Resolution No. R09-120, 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. R09-121:** Accepting the bid for a new garbage truck and authorizing the Mayor to sign the contract to purchase from Jack's Truck & Equipment.

Motion by Council Member Poehls to approve Resolution No. R09-121, 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. R09-122:** Budget amendment resolution amending revenues, appropriations and reserves for various funds for fiscal year 2009.

Motion by Council Member Mace to approve Resolution No. R09-122, 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. R09-123:** Resolution authorizing the City Clerk to perform certain and specific budget transfers for the City of Laurel.

Motion by Council Member Dickerson to approve Resolution No. R09-123, 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. R09-124:** Resolution relating to \$820,000 Water System Revenue Bonds (DNRC Drinking Water State Revolving Loan Program), consisting of \$500,000 Series 2009C Bond and \$320,000 Series 2009D Bond; authorizing the issuance and fixing the terms and conditions thereof.

Motion by Council Member Hart to approve Resolution No. R09-124, 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. R09-125: A resolution adopting and approving a wage increase for the listed non-union employees of the City of Laurel.**

Motion by Council Member Wilkins to approve Resolution No. R09-125, 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. R09-126: A resolution authorizing the Mayor to sign an Engagement Letter with Dorsey & Whitney, LLP as bond counsel for the issuance of Water System Revenue Bonds for participation in the State of Montana's Drinking Water State Revolving Fund Program.**

Motion by Council Member Rodgers to approve Resolution No. R09-126, seconded by Council Member Wilkins. 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 thanked Mary Embleton for her work on the board training session on October 28th. He stated that it was very interesting and beneficial, and it was good to review some of the things that are easily forgotten. Council Member Dickerson stated that the presentation would be an excellent one for the Montana League of Cities and Towns Conference.

Mayor Olson stated that the training session was well worth the time. He expressed appreciation to Mary for the arrangements she made. He was reminded that the by-laws or the constitution by which a board, commission, or committee is formed is really the biggest resource to determine if it is within the constitutionality in the actions taken. He was excited that twenty people attended the board training session.

Mayor Olson and Bill Sheridan met with the County Commissioners last week. The Commissioners had asked the City of Laurel to provide an estimate to continue the maintenance of the Veterans' Cemetery. Bill spent many hours putting the figures together and the proposal was given to the Commissioners. The Commissioners' response was that they wanted to put out a Request for Proposals (RFP) for a comparison. The City of Laurel said that would be fine. The County Commissioners asked if the city would honor the current contract until June 2010, and the city agreed to do so. The Commissioners then asked if the City of Laurel would be willing to allow another contractor to come in earlier if they found somebody that would take over the maintenance sooner. The city's response was that it would, as long as it did not hinder in the city's commitment to manpower. The Commissioners then expressed gratitude for the City of Laurel's participation in the maintenance of the Yellowstone County Veterans' Cemetery for the last year and a half. The veterans' cemetery was a fledgling project, and Laurel's availability and eagerness to serve its veterans was well documented. Advertisements for the RFP for the maintenance of the Veterans' Cemetery will be published soon. Mayor Olson stated that, if the council decided to do so, the city could submit another proposal to RFP. If so, the council would have opportunity to insure the proposal is acceptable.

Mayor Olson stated that the city met with Cenex officials today. When Cenex brought the zone change request forward, staff stated the applicant's obligation to submit a request for extension of utility services. Cenex fulfilled that obligation today, but was uncertain of the size of the piping required and the size of the buildings to be serviced. City staff asked Cenex officials when the proposal would be ready for presentation to the council and also requested time for staff to review the proposal so recommendations and questions could be addressed. Cenex officials expect their proposal for extension of services to be ready within the next month.

Mayor Olson again stated that the board training session provided a good review of the policies governing boards and commissions.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

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

There being no further business to come before the council at this time, the meeting was adjourned at 6:49 p.m.

Cindy Allen
Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 17th day of November, 2009.

Kenneth E. Olson, Jr. for
Kenneth E. Olson, Jr., Mayor

Attest:

Mary K. Embleton
Mary K. Embleton, Clerk-Treasurer