

MINUTES OF THE CITY COUNCIL OF LAUREL

December 4, 2007

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 December 4, 2007.

COUNCIL MEMBERS PRESENT: Emelie Eaton Doug Poehls
 Kate Hart Mark Mace
 Gay Easton Chuck Dickerson
 Alex Wilkins Norm Stamper

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Mary Embleton
 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 November 20, 2007, 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:

Montana Department of Commerce: Letter of November 14, 2007 regarding Draft Application Guidelines for the Treasure State Endowment Program.

PUBLIC HEARING:

- Ordinance No. O07-12: An ordinance of the City of Laurel, Montana, establishing load limits on city streets; providing for truck routes and for loading and unloading; establishing exceptions; providing enforcement procedures and definitions; and providing for a penalty. (First reading - 11/06/2007)

Mayor Olson asked Kurt Markegard, Acting Public Works Director, to introduce the item to the council.

Kurt stated that staff brought this forward for the creation of the ordinance for the Laurel truck route. Staff is concerned that the streets are not designed to carry the trucks that are being supplied with the unprecedented growth in Laurel, so staff asked for an ordinance to be able to enforce the use of city streets. It is the intent to establish the truck route with certain streets and to have all businesses use the truck routes to enter and exit the city.

Mayor Olson opened the public hearing and read the rules governing the public hearing.

Mayor Olson asked twice if there were any proponents.

Dave Siljestrom, 702 Second Avenue, stated that he would like to see that certain streets are placed under truck route weight limit restrictions. He stated that this should apply to the 700 block of Second Avenue, the 100 block of Seventh Street, and the 100 block of Eighth Street, which are the three sides of Ricci's Express. Semi-trucks come into the area three to five times a week. The trucks go up First Avenue, turn onto Eighth Street, turn and go south on Second Avenue, and then turn onto Seventh Street to go into the gas station. These fully-loaded fuel semis are tearing up the street. Dave called one of the companies to complain about the speed with which the drivers go through the residential streets with full loads of fuel. During construction of the gas station, unloaded gravel semis were parked on Second Street and damaged the streets severely. The street

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had to be repaired when the construction project was to the point that asphalt was available. When a loaded fuel truck is driven down Second Avenue in the summer, it looks like a wave as the asphalt just floats in front of the truck. Dave stated that it would not be fair for the city to assess residents for street repair costs for those streets. The homeowners do not request that the 80,000 to 90,000 pound semis go through the streets day after day. That is the gas station. If the streets need to be repaired, he thinks that Ricci's Express should pay the bulk, if not all of the repairs.

Mayor Olson asked twice if there were any other proponents.

Joe Zimmerman, 802 First Avenue, stated that two streets should absolutely not be in the truck route. The streets are West 8th Street between First and Second Avenues, and Second Avenue between West 7th and West 8th Streets. The trucks use these streets to carry non-hazardous and hazardous materials such as gas and diesel. If an accident ever happened with the trucks transporting the materials on residential streets, it would be a major catastrophe. There could be fuel spillage, fire, and loss of property. The trucks haul between 8,000 to 10,000 gallons of fuel, weigh over 80,000 pounds, and are sixty-five feet long, and have three or four-axle trailers. The combined tractor/trailer weight is legally permitted to 106,000 pounds. The streets are not made to handle this much weight. When the trucks make a turn, the lift axels on the tractor and trailer create more tire pressure on the steering axle, the drive axels, and the trailer axels resulting in the roads being torn up. The streets are bad enough without this extra abuse on them. There are five to six deliveries per week on the streets, and the fuel trucks deliver once or twice a week. When Ricci's built the store, on that lot, they said all truck delivery would be limited to West 7th Street. They made small entrances to the store, which makes it difficult for large delivery trucks to get in and out. Ricci's needs to make the entrances bigger or put another entrance on West 7th Street, just west of the building, put a driveway in, and tie it to the access road along the north side of the building. Then the trucks that pull off of First Avenue could go down the access road, turn along the building, go on 7th Street, make the delivery, and go back onto First Avenue. This would take the burden off Second Avenue and West 8th Street and would benefit a lot of people. By having the exit there, it would keep the truck route to West 7th Street, between First and Second Avenues. There would be no truck traffic on Second Avenue or West 8th Street. The main thing is safety for everyone.

Mayor Olson asked if there were any other proponents supporting the item.

Pat Kimmet, 2130 Saddleback, spoke as the manager of CHS Refinery. Pat stated his support for the truck route as proposed, including Railroad Street and South Eighth. This has been an historic truck route for access for many decades to the west side of the CHS Refinery and for farmers and others south and west of Laurel. This historic truck route is going to be very important in the future for the refinery and he recommends the truck route as proposed.

Mayor Olson asked three times if there were any other proponents. There were none.

Mayor Olson asked three times if there were any opponents. There were none.

Mayor Olson closed the public hearing.

Mayor Olson stated that the second reading of Ordinance No. O07-12 will be on the December 18th council agenda.

CONSENT ITEMS:

- **Claims for the month of November 2007 in the amount of \$158,423.47.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 11/18/2007 totaling \$137,252.23.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of November 20, 2007 were presented.
 - Emergency Services Committee minutes of November 26, 2007 were presented.
 - Council Workshop minutes of November 27, 2007 were presented.

--Laurel Airport Authority minutes of October 23, 2007 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 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Big Sky EDA Nominating Committee:

Mayor Olson appointed Gay Easton to the Big Sky EDA Nominating Committee for a term ending December 7, 2008.

Motion by Council Member Eaton to approve the appointment of Gay Easton to the Big Sky Economic Development Authority Nominating Committee for a term ending December 7, 2008, seconded by Council Member Hart. 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 Ambulance Attendants:

Mayor Olson appointed Sue Leuthold, Anna Gatzemeier, and Marie Besel as Laurel Ambulance Attendants.

Motion by Council Member Poehls to approve the appointments of Sue Leuthold, Anna Gatzemeier, and Marie Besel as Laurel Ambulance Attendants, 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. R07-104: Resolution of the City Council approving the donation of city surplus extrication equipment to the Park City Volunteer Fire Department.**

Motion by Council Member Hart to approve Resolution No. R07-104, 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.

- **Resolution No. R07-105: A resolution approving the Final Plat of Mace Subdivision, an addition to the City of Laurel, Montana.**

Motion by Council Member Easton to approve Resolution No. R07-105, seconded by Council Member Hart. There was no public comment. Council Member Mace stated that he will abstain from the vote. A vote was taken on the motion. Seven council members present voted aye. Motion carried 7-0, with Council Member Mace abstaining.

- **Resolution No. R07-106: A resolution of the City Council approving the Amended Plat of Lot 2D-1, Canyon Creek Station Subdivision, Second Filing, City of Laurel, Montana.**

Motion by Council Member Wilkins to approve Resolution No. R07-106, 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.

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 requested permission to leave the state from December 7th through 10th. Mayor Olson stated that the requirement is for ten days, but the notification is appreciated.

Council Member Easton thanked Mayor Olson for setting up the meeting with Dr. Weaver last Saturday to get the charter on the schedule and going in the right direction.

Council Member Eaton stated that she was requested to put a couple of matters on the record. To do so properly, she would like to review a discussion she had with the police chief at next week's council workshop. The issues are concerning trespassing and sidewalks being blocked.

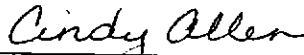
Mayor Olson stated that December 25th is on Tuesday, so the council workshop will be scheduled for Wednesday, December 26th. Since January 1st is on Tuesday, the council meeting will be scheduled for Wednesday, January 2nd.

UNSCHEDULED MATTERS: None.

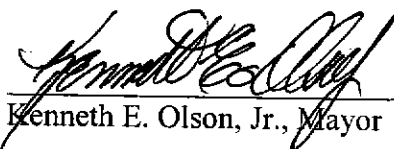
ADJOURNMENT:

Motion by Council Member Stamper 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 6:55 p.m.


Cindy Allen, Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 18th day of December, 2007.


Kenneth E. Olson, Jr., Mayor

Attest:


Mary K. Embleton, Clerk-Treasurer