

# MINUTES OF THE CITY COUNCIL OF LAUREL

December 6, 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 December 6, 2011.

**COUNCIL MEMBERS PRESENT:**

Bruce McGee	Doug Poehls
Chuck Rodgers	Mark Mace
Tom Nelson	Chuck Dickerson
	Norm Stamper

**COUNCIL MEMBERS ABSENT:**

Emelie Eaton

**OTHER STAFF PRESENT:**

None

Mayor Olson led the Pledge of Allegiance to the American flag.

Mayor Olson asked the council to observe a moment of silence.

**MINUTES:**

- **Council Minutes of November 15, 2011**

Motion by Council Member Dickerson to approve the minutes of the regular meeting of November 15, 2011, as presented, 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.

- **Special Council Minutes of November 29, 2011**

Motion by Council Member Stamper to approve the minutes of the special meeting of November 29, 2011, 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:**

- Laurel Public Schools: Letter of November 15, 2011 regarding water rate increase.

Council Member Poehls commented on the letter from the Laurel Public Schools regarding water rate increases and the request for a phase-in program for their water rates. Council Member Poehls thinks the school district had plenty of notice. The *Laurel Outlook* had articles over a year ago that the city was reviewing water and wastewater rate increases, which was before the school's budgeting period for this school year. Even though they did not know the exact rate increase, the school should have been aware of possible increases and put that in their budget. The city had meetings with the school district regarding the water rates and the draft water rate study before their budget was finalized. He feels that the school had plenty of warning so it is not the city's fault they did not budget for the water rate increases. Another issue is that the City of Laurel does not have a precedent or a method to grant the school a phase-in process and would be opening the floodgates for any individual or business that thinks they have a hardship to request a phase-in period.

Council Member Mace stated his concern with starting this with one individual, one company or one user and then having to do that for everyone. The city does not have a policy in place to do that and should not start something that cannot possibly be maintained. As far as notification, the city has been reviewing the rates for several years.

Council Member Dickerson recommended that the city write a letter to the Laurel Public School District to inform them of the council's response to the request.



Council Member Mace stated the need to provide a program to educate the public on how to conserve water, as many people do not do so. He suggested that the city is obligated as a provider to have some kind of method to show them how to conserve water, in case water rationing is ever needed. The city should be proactive and it may be that less water would go through the water and wastewater treatment plants.

Council Member Rodgers stated that an educational program would be beneficial and that the city should not open up Pandora's Box on this issue.

Council Member Nelson feels that it is the city's responsibility to educate the public and try to lessen the impact when something affects the community. Although he is not familiar with the school's budgeting process, he assumes, in the case of an emergency, they have a mechanism to amend their budget and work on trying to conserve and get through with minimal impact.

Council Member Poehls asked if a formal motion was needed to direct the mayor to write a letter.

Mayor Olson stated that a letter would be drafted for the council's review and authorization at the council workshop on December 13<sup>th</sup>.

**PUBLIC HEARING:** None.

**CONSENT ITEMS:**

- **Claims for the month of November 2011 in the amount of \$489,895.16.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 11/13/2011 totaling \$162,772.14.**
- **Approval of Payroll Register for PPE 11/27/2011 totaling \$191,343.54.**
- **Receiving the Committee Reports into the Record.**
  - Park Board minutes of November 3, 2011 were presented.
  - Public Works Committee minutes of November 7, 2011 were presented.
  - Cemetery Commission minutes of November 14, 2011 were presented.
  - Budget/Finance Committee minutes of November 15, 2011 were presented.
  - Emergency Services Committee minutes of November 21, 2011 were presented.
  - Council Workshop minutes of November 29, 2011 were presented.
  - Laurel Public Library Board of Trustees minutes of September 13, 2011 were presented.
  - Laurel Public Library Board of Trustees minutes of October 18, 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 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.**

• **Beartooth RC&D: Project Summary**

Chris Mehus, Director for Beartooth RC&D, thanked the council for the opportunity to talk about their project activity in the Laurel community. He distributed copies of a report for Yellowstone County. Beartooth RC&D covers five counties, including Sweetgrass, Stillwater, Yellowstone, Carbon and Big Horn Counties, and provides rural and regional economic and community development services across the five-county region. Beartooth RC&D had another successful year, enjoyed the support of the City of Laurel, enjoyed working on projects, and enjoyed the partnership with Big Sky Economic Development in Yellowstone County.

Chris provided an overview of the activities for this year. The service areas were present in three primary focuses: Business Assistance, Community Development, and Natural Resources and Conservation. It was a difficult year, as Beartooth RC&D lost its Federal sponsorship through the Natural Resource Conservation Service. They were organized originally in 1967 as an RD&D Resource Conservation and Development Area under NRCS, and that program was done away with in last year's federal budget. They lost their full-time coordinator and the funding for their administrative assistant. They also lost the office space that was leased by NRCS, some office equipment and some IT support. Fortunately, back in the mid-90's, Beartooth RC&D took on economic development activities as one area of interest and has federal and state funding for economic development activities with which they are able to sustain the organization, in addition to the revolving loan fund. They have a smaller office space in Joliet and the Board is still very active. Marvin Carter is the vice-chairman on the Board and serves at the request of the City Council.

Chris stated that they helped the Laurel Trading Post get a small grant to help develop some engineering and architecture services. The Laurel Trading Post owns some property on the east side of Walmart and would like to develop that property. They are kind of split by the frontage road there and have the leased lot across the road. Their shop with the merchandise, saddles, tack and western wear and the new and used trailers are split up, and they would like to locate everything in one place. The grant helped pay for some of the architecture and engineering services they could not afford to do on their own. Chris stated appreciation for the city's tax increment finance district that might provide some additional funding for the curb and gutter planning, some of the lot layout, some of the lighting, and the things that affect the public right-of-way. It is a good source of funds and the intent is to stimulate business growth and activity. Once the Laurel Trading Post moves, the retail space will be open for another business.

Beartooth RC&D assisted with a Rural Development Grant for a marketing plan for Emma's Baking Co. It is encouraging to see businesses along Main Street, to see some of the historic downtown spaces being filled up, and some new entrepreneurs taking on some business ventures there. Emma's was able to secure a marketing consulting company to develop a website, some signage and some new marketing materials.

Chris explained that the purpose of the revolving loan fund is to gap finance between what the bank is willing to provide and what a private business person can put up in terms of capital. Beartooth currently has seven outstanding loans in Yellowstone County with \$830,000 in loans receivable. Northern Rockies Glass in Laurel was their most recent loan, and that loan is paid off now. Northern Rockies Glass has a new location and is looking for additional space to sell truck toppers and accessories. Chris stated that Beartooth relies on referrals from local government and partners to get the word out about their loan fund opportunity, as well as market to banks. Funds are available to loan to businesses or community projects that have a job impact or if they affect the business community in any way in order to create economic opportunity. Beartooth holds regional First-time Homebuyer Classes in Laurel once a month. A total of 354 individuals went through the class this year and 261 of them were from Yellowstone County. It is a good program to keep first-time homebuyers actively looking for properties and getting a good mortgage they can afford.

Beartooth's Housing Counseling Services expanded this year. Diana Spint, who was the Housing Coordinator, recently took a job in Billings and a new person has been hired to do homebuyer education. Federal cuts did away with the foreclosure counseling, the credit counseling and some one-on-one family budgeting counseling. The program has been scaled back to just the first-time homebuyer education classes. They hope to do some fundraising this year with the banks, insurance companies, real estate companies, etc. that benefit from the first-time homebuyer class in order to continue some of the counseling services.

Beartooth worked on the Algae Farm project last year and part of this year. The business was interested in locating here and possibly co-locating with the refinery, but it did not work out.

Chris spent eleven days out on the oil spill. He has a degree in range management and Beartooth contracted with the state to do some of the vegetation surveys on disturbed areas to provide seed recommendations to revegetate some of those sites. He went in after a lot of the cleanup activity, and it was interesting to see some of the residues that were left. He stated that we are lucky that this happened on a year when there was such a high flow and that high flow sustained over a period. A lot of it went away and there was very little cleanup compared to what would have been in a year where the backwaters and side channels were full and the oil would have collected. He worked with the consulting company that did the assessment and everybody has been fairly satisfied with the effort that was made. Chris stated appreciation for Laurel's participation and is excited to serve and collaborate with the City of Laurel.

Mayor Olson stated that Beartooth RC&D has been active with the citizens in Laurel and their services and efforts are appreciated. Mayor Olson thanked Chris for his time and effort.

Chris stated appreciation for Marvin Carter's service on the Board of Directors and the Executive Committee, as he is a great leader and provides a lot of positive energy.

- **Resolution No. R11-119: A resolution of the City Council authorizing the Mayor to sign a contract with Forté Holdings for electronic documentation of ambulance responses.**

Motion by Council Member Poehls to approve Resolution No. R11-119, 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. R11-120: A resolution of the City Council authorizing the Mayor to sign an agreement with Williston Basin Interstate Pipeline Company.**

Motion by Council Member Nelson to approve Resolution No. R11-120, seconded by Council Member Rodgers. There was no public comment or council discussion.

Mayor Olson introduced Bryan Kary, who represented Williston-Basin Pipeline Company.

Bryan Kary introduced Pat Ryan, who will be the chief engineer on the project. He offered to answer any questions from the council.

A vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R11-121: A resolution of the City Council authorizing the Mayor to sign a contract with Comfort Heating and Air Conditioning, LLC to replace the furnace, renovate the HVAC system and install an air conditioning system at the Laurel Water Plant.**

Motion by Council Member McGee to approve Resolution No. R11-121, 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. R11-122: A resolution approving Amendment No. 3 to the previously adopted Task Order No. 6, approving an increase in the Grant Administration Budget for Phase I of the Water System Improvements Project for the City of Laurel.**

Motion by Council Member Rodgers to approve Resolution No. R11-122, seconded by Council Member Nelson. 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. R11-123: A resolution approving Amendment No. 1 to the previously adopted Task Order No. 20, approving an increase in the Study and Report Phase of the Water Rate Study Project for the City of Laurel.**

Motion by Council Member Nelson to approve Resolution No. R11-123, 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. R11-124: Resolution of support for the Yellowstone County/City of Billings proposed districting and apportionment plan establishing new House and Senate Districts.**

Motion by Council Member Poehls to approve Resolution No. R11-124, 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.

**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 Rodgers stated that the Cemetery Commission will consider the engineering company's \$128,000 proposal for the irrigation system at a meeting on Monday, December 12<sup>th</sup>, at 5:30 p.m. If the Cemetery Commission approves, the city will go out for bids to get the project moving forward.

Mayor Olson stated that tomorrow is December 7<sup>th</sup>, which is Pearl Harbor Day, and asked the council to remember the veterans that served in World War II.

**UNSCHEDULED MATTERS:** None.

**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.

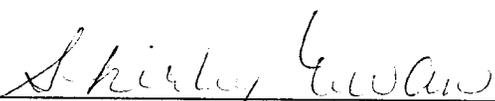
There being no further business to come before the council at this time, the meeting was adjourned at 7:03 p.m.

  
Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 20<sup>th</sup> day of December, 2011.

  
Kenneth E. Olson, Jr., Mayor

Attest:

  
Shirley Ewan, Clerk/Treasurer