

MINUTES OF THE CITY COUNCIL OF LAUREL

January 17, 2012

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 January 17, 2012.

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

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Chief Musson

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

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

Mayor Olson performed the swearing in ceremony for Norm Stamper.

MINUTES:

Motion by Council Member Dickerson to approve the minutes of the regular meeting of January 3, 2012, 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:

ExxonMobil Pipeline Company: Letter of December 29, 2011 regarding Temporary Construction Easement Agreement.

Newsline: December 2011 Newsletter of the Montana Department of Transportation, Rail Transit & Planning Division.

Yellowstone County Commissioners: Letter of December 30, 2011 regarding U.S. Marine Corps Toys for Tots Campaign.

Department of the Army, Corps of Engineers, Omaha District: Letter of December 21, 2011 regarding Montana Joint Application to reconstruct the Yellowstone River bank.

PUBLIC HEARING:

- O'Reilly Subdivision

Mayor Olson stated that the public hearing was for the O'Reilly Subdivision. In December 2011, O'Reilly Automotive Stores in conjunction with their representatives Kadrmas Lee and Jackson (KLJ) Engineers, applied for subsequent minor preliminary plat approval for O'Reilly Auto Parks Subdivision which contains two lots on approximately 1.3 acres of land for commercial development. The subject property is located within the City of Laurel on the south side of Southeast 4th Street, west of Walmart. The Laurel City Council needs to approve, conditional approval or denial for the subdivision and variances. At this time, the Planning staff recommends that the Laurel City Council adopt the staff report and Findings of Fact as presented in this staff report. There are two variances requested with the application. The first is for building setback, asking for a 2-foot decrease making the back of the building eight (8) feet from the lot line. The current regulations and ordinances require a rear building setback of ten (10) feet. The second variance is for parking stalls. Laurel requires parking stalls to be ten (10) feet by twenty (20) feet. The variance is for nine (9) by nineteen (19) feet, or one foot on the length and sides. The recommendation from the Planning Board is approval.



Mayor Olson invited the applicant, if present, to introduce himself and respond to questions from the council.

Darrell Magnuson is with Kadrmas, Lee and Jackson and his address is 3835 Avenue D in Billings, Montana.

Mayor Olson asked the council if there were any questions or comments for the applicant. There were none.

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

Mayor Olson asked four times if there were any proponents.

Darrell Magnuson stated that there had been a question about the building fitting into the neighborhood. When he mentioned that to the client, they sent him a picture of the proposed building, which has an earth tone front.

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.

Council Member Dickerson thanked Darrell for hearing his concern about the look of the building and for providing the picture.

Motion by Council Member Poehls to waive the rule to wait until the next council meeting and place the item on Scheduled Matters on tonight's agenda, seconded by Council Member Nelson. 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.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of December 2011.**
- **Approval of Payroll Register for PPE 01/08/2012 totaling \$172,631.02.**
- **Receiving the Committee Reports into the Record.**
- Budget/Finance Committee minutes of January 3, 2012 were presented.
- City-County Planning Board minutes of January 5, 2012 were presented.
- Council Workshop minutes of December 27, 2011 were presented.
- Council Workshop minutes of January 10, 2012 were presented.
- Laurel Urban Renewal Agency minutes of December 5, 2011 were presented.
- Laurel Airport Authority minutes of June 28, 2011 were presented.
- Laurel Airport Authority minutes of July 26, 2011 were presented.
- Laurel Airport Authority minutes of September 27, 2011 were presented.
- Laurel Airport Authority minutes of November 22, 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 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.**

Laurel Police Reserves:

Mayor Olson appointed Andrew Sanders, Dane Yeager and Nathan Contreras to the Laurel Police Reserves.

Chief Musson introduced Andrew Sanders, Dane Yeager and Nathan Contreras to the council and thanked them for stepping forward. Training will start on January 30th and continue through May. Chief Musson stated that he is excited to have them start training and working for the City of Laurel.

Motion by Council Member Eaton to approve the Mayor's appointments of Andrew Sanders, Dane Yeager and Nathan Contreras to the Laurel Police Reserves, 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.

Mayor Olson extended appreciation for their willingness to serve. He stated that he and the council hope that their service will continue for many years.

Laurel Fire Department:

Mayor Olson appointed Justin Laughery and Brandon Rogge to the Laurel Fire Department.

Motion by Council Member McGee to approve the Mayor's appointments of Justin Laughery and Brandon Rogge to the Laurel Fire Department, 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.

- **Resolution No. R12-04: Budget amendment resolution amending appropriations and reserves for various funds for fiscal year 2010-2011.**

Motion by Council Member Mace to approve Resolution No. R12-04, 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. R12-05: A resolution of the City Council approving the Preliminary Plat of Lot 6-A1 of Amended Plat of Lot 6-A Block 2, Laurel Industrial Park Subdivision within the City of Laurel, Montana and granting O'Reilly Automotive Stores two variances from the City's restrictions on building setbacks and parking stalls.**

Motion by Council Member Nelson to approve Resolution No. R12-05, 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. R12-06: A resolution approving a Temporary Construction Easement between the City of Laurel and Williston Basin Interstate Pipeline Company.**

Motion by Council Member Poehls to approve Resolution No. R12-06, 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.



COUNCIL DISCUSSION:

Council Member Poehls stated that the Emergency Services Committee would meet on Monday, January 23rd.

Council Member Stamper thanked the council for their patience and understanding in his recent absences.

Council Member Nelson said thank you on behalf of the council that attended the informative retreat on Saturday.

Council Member McGee echoed Council Member Nelson's statement about the retreat, which pointed out some things on which the council needs to work.

Mayor Olson stated that the city received notification from ExxonMobil that January 15th would be their last day in Riverside Park. A few minor things are being worked on for completion, but the city is almost ready to sign off. Williston-Basin will be in the park now. Some of Riverside Park will be opened for public use on the north side and the safety of citizens is still important.

Mayor Olson thanked the council members that attended the retreat. The council covered a lot of information in a limited amount of time. Mayor Olson will have staff go forward with items according to the council's direction, and some items will be presented to the council at future meetings.

A City/County joint meeting is scheduled on February 9th at 5:30 p.m. at MetraPark for the City of Billings, City of Laurel and the County Commissioners. Agenda items should be submitted to the council secretary.

Mayor Olson mentioned that council members should contact him regarding board appointments and contact Council Member Poehls regarding committee appointments.

UNSCHEDULED MATTERS: None.

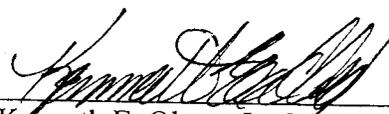
ADJOURNMENT:

Motion by Council Member Stamper 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 eight council members present voted aye. Motion carried 8-0.

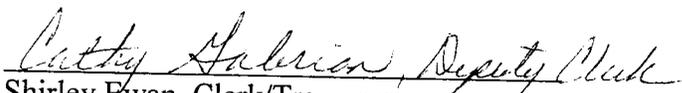
There being no further business to come before the council at this time, the meeting was adjourned at 6:58 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 7th day of February, 2012.


Kenneth E. Olson, Jr., Mayor

Attest:


Shirley Ewan, Clerk/Treasurer