

# MINUTES OF THE CITY COUNCIL OF LAUREL

March 6, 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 President Doug Poehls at 6:30 p.m. on March 6, 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:           None

President Poehls led the Pledge of Allegiance to the American flag.

President Poehls asked the council to observe a moment of silence.

## MINUTES:

Motion by Council Member McGee to approve the minutes of the regular meeting of February 21, 2012, as presented, 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.

## CORRESPONDENCE:

Laurel Chamber of Commerce: Board Meeting Minutes of January 26, 2012.

Sidne Walton: Letter of February 7, 2012 regarding speed limit on East Railroad Street.

**PUBLIC HEARING:** None.

## CONSENT ITEMS:

- **Claims for the month of February 2012 in the amount of \$208,864.62.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 02/19/2012 totaling \$162,861.82.**
- **Receiving the Committee Reports into the Record.**
  - Budget/Finance Committee minutes of February 21, 2012 were presented.
  - Council Workshop minutes of February 28, 2012 were presented.
  - Tree Board minutes of January 19, 2012 were presented.

President Poehls 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):**

Jade Frivel, Billings, Montana, spoke on behalf of the EUDL (Enforcing Underage Drinking Laws) Team from Billings. The EUDL Team has been doing a responsible alcohol sales training program for people that sell alcohol, at grocery stores, gas stations or as a bartender, because state law requires training. The state developed a program called Let's Control It. The EUDL Team received a grant to offer the free classes to the community and held a class in Laurel recently. The class was held at the fire hall, but Jade would like to find a larger space in order to reach more Laurel residents. She offered to show the council the materials, which included information about BAC levels, behavioral cues, and the liabilities of serving alcohol.

President Poehls stated that the new conference room in the ambulance addition should be available soon and suggested that Jade contact the clerk/treasurer at city hall when she is ready to schedule another training session.

Council Member Mace suggested that the city's next informational brochure could include information regarding the training.

Howard Rickard, 922 Sixth Avenue, represented the Laurel Jaycees. He inquired as to the status of the repair or rebuilding of the southern bank of the Yellowstone River that attaches to Riverside Park. He read some articles in the *Laurel Outlook* and stated that the information is sketchy to the citizens and people that are affected. He is concerned that the high waters tend to start in April, which is four to five weeks away, and last year the high waters crested at the top of the bank in the beginning of May. Now that there is no height to the bank, one-third of last year's volume would cause an issue. Since the city has not been able to get approval for the project through EPA and the Army Corps of Engineers, Howard questioned if the city is informing those down river of the hazards that exist inside Riverside Park if it should become flooded. The shooting range has many decades of lead, Riverside Park used to be a dumping ground, and there is potential for hazardous materials in the buildings, and that would flow downstream to the residents in the area. He encouraged the City of Laurel to be more forthcoming on the basic information. Howard stated that the articles suggested that there is 120-day waiting period for a response from the EPA, when there are only four to five weeks before the whole park becomes a pond. If it is in the city's best interest to let the park become a pond, he stated that a lot of people need to know in order to make other arrangements for their property. Howard stated that hundreds of people have asked him for updates, but he has no information other than the *Outlook*.

President Poehls stated that the city is in a 30-day waiting period. The EPA had five issues for the city to address about the plan to stabilize the bank, and the city has thirty days to respond to their concerns. The city is working to address the five issues the EPA presented. The city now has a FEMA contact in Denver to help with the funding issues. President Poehls will inform Heidi Jensen and Kurt Markegard regarding Howard's statements and concerns.

Howard requested consideration that some key leaders of the community groups that use the buildings in Riverside Park are completely ignorant of the information he just learned. He stated that Heidi and Kurt should be more opportunistic and sharing with the Rod and Gun, the Rifle Club and the Jaycees about the status, even if it is not a progressive status, as the ignorance is leading to rumors and unfounded fears.

Council Member Dickerson stated that the council meetings and council workshops are open to the public for comment and questions every Tuesday night at 6:30 p.m. Heidi and Kurt are very involved in the issue and can be asked for information by the club leaders. He stated that the council members are waiting for information and the council does not want last year's events to happen again this year.

Howard stated that the city's updated website does not post information and minutes and the agenda was hard to find. If there is a Tuesday opportunity for input or for listening, he will encourage that with his contacts that are leaders.

Council Member Nelson requested that Howard be notified the next time Great West Engineering presents information regarding the bank stabilization project at a council meeting.

Howard stated that the awareness of the opportunity is very helpful, as ignorance is very challenging for those who assume the council is holding up the process and information leads to teamwork.

Council Member Dickerson stated that all agendas are posted on the bulletin boards in the entries of the council chambers and city hall.

Tamara Frank, 2455 Ranch Trail Road, asked for an update regarding the speed limit issue on East Railroad Street.

President Poehls stated that the city is working on the process and the steps needed to change the speed limit.

Tamara asked regarding a timeline. She recently searched the city's website for information regarding the subject but was unable to find anything.

Tamara asked regarding the two 15 mph speed limit signs that were recently posted at the 90 degree corner of Bernhardt Road and Southeast 4<sup>th</sup> Street. She questioned how that came about and if one person in the city is in charge of setting those speed limit signs. Instead of just putting up a sign that says sharp corner, the sign says 15 mph, as it does going the other direction. She asked if the posted 15 mph speed limit continues on the other street, as it is not really clear. The signs are white speed limit signs, not yellow cautionary signs.

President Poehls stated that the questions need to be referred to Chief Musson.

Tamara mentioned that the signs were posted around February 13<sup>th</sup>.

Council Member Stamper stated that he just noticed the 15 mph speed limit signs tonight. The city has been discussing the need for a citywide traffic study, as there are traffic issues throughout the city. Regarding the website, he stated that Heidi is working hard on the website, but until just recently, she was filling two positions as the CAO and the City Planner. Heidi has also worked diligently on the issues at Riverside Park, and Council Member Stamper stated that last week's minutes included information with Heidi's comments regarding the park.

Council Member Mace stated that the Public Works Committee was informed that the sharp turn signs were knocked over several times and that cars went over the corner several times. When it is slick, cars cannot take that corner at 25 mph, so that probably why the 15 mph signage was installed.

Council Member Nelson stated that last week's council workshop minutes included Heidi's comments on the speed limit on East Railroad. Heidi is currently trying to get information from the Yellowstone County Public Works Department regarding what kind of a speed study they did out there. When she has more detailed information, Heidi will contact the state to determine if the speed limit can be changed.

Tamara stated that it is odd because one side of the street is 35 mph and the other side is 25 mph.

Council Member Poehls stated that half of the road is owned by the county and half of the road is owned by the city.

#### **SCHEDULED MATTERS:**

- **Confirmation of Appointments.**
- **Ordinance No. O12-01: An ordinance amending Chapter 18.02 of the Laurel Municipal Code relating to the composition of the Laurel Urban Renewal Agency. Second reading.**

Motion by Council Member Nelson to adopt Ordinance No. O12-01, seconded by Council Member Mace. There was no public comment or council discussion. A roll call vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R12-13: Resolution authorizing the Mayor to execute an agreement with Beartooth RC&D Economic Development District.**

Motion by Council Member Eaton to approve Resolution No. R12-13, 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. R12-14: A resolution of the City Council adopting job descriptions for Court Clerk I, II and III.**

Motion by Council Member Dickerson to approve Resolution No. R12-14, 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.

**ITEMS REMOVED FROM THE CONSENT AGENDA:** None.

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):**

Kat Stokes, 1135 9<sup>th</sup> Avenue, stated that her son, Hunter, has already received comments and e-mails back from some of the foundations, including the Tony Hawk Foundation, contacted regarding possible grant monies for a skate park. They want more information regarding location and costs, but that is not available now. Kat will forward the e-mails to Council Member Mace, the Chairman of the Park Board.

Council Member Mace stated that the Park Board intends to form a committee specifically for the skate park. A lot of young kids would like to participate on the committee and bring comments to the Park Board. He will talk to the Mayor and try to begin to organize the committee soon.

The *Laurel Outlook* was asked to write an article with information about the Park Board's intention to form a committee for the skate park and to inform interested people to attend the Park Board meeting on the first Thursday of the month at 5:30 p.m.

Kat asked if she should respond to the foundations.

Council President agreed that it would be appropriate to send them a response informing them that the information would be forwarded to the Park Board.

Council Member Mace suggested that information regarding the skate park committee could be included in the city's next informational brochure.

**COUNCIL DISCUSSION:**

- Review of Monthly Reports: Police, Fire, Ambulance, and Code Enforcement: None.

Council Member Mace informed the council that the school district is interested in a senate bill that allows the school to get some money for recreational purposes. The school district will have to partner with a multi-jurisdictional agency and the superintendent has come to the city looking to rebuild tennis courts. The Park Board approved unanimously to partner with the school district. There is no contractual obligation for any money as far as the city is concerned, but the partnership is needed in order to proceed to find a place for the tennis courts. The school would like the tennis courts located in an area where four full tennis courts can face north and south so that the east and west sun does not bother the players. The school plans to eventually add tennis to the curriculum. The Park Board's recommendation was to send the agreement to the city attorney for review. The item will be on the next council workshop agenda.

**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 7:04 p.m.

Cindy Allen  
Cindy Allen, Council Secretary



Council Minutes of March 6, 2012

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 20<sup>th</sup> day of March, 2012.

Mark A. Olson    *Boz*  
Kenneth E. Olson, Jr., Mayor

Attest:

Shirley Ewan  
Shirley Ewan, Clerk/Treasurer

*Mark A. Olson*