

# MINUTES OF THE CITY COUNCIL OF LAUREL

May 1, 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 May 1, 2012.

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

COUNCIL MEMBERS ABSENT:           None

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:

Motion by Council Member Stokes to approve the minutes of the regular meeting of April 17, 2012, 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 Chamber of Commerce: Minutes of April 12, 2012; Agenda of April 24, 2012.

**PUBLIC HEARING:** None.

Mayor Olson stated that it was advertised in the newspaper that there would be a public hearing on the Robertus variance tonight. The public hearing has been postponed until May 15<sup>th</sup>. The City-County Planning Board will address the issue on Thursday, the item will be on the May 8<sup>th</sup> council workshop agenda, and the public hearing will be on May 15<sup>th</sup>.

## CONSENT ITEMS:

- **Claims for the month of April 2012 in the amount of \$322,571.81.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 04/15/2012 totaling \$186,964.94.**
- **Receiving the Committee Reports into the Record.**
  - City-County Planning Board minutes of April 5, 2012 were presented.
  - Budget/Finance Committee minutes of April 17, 2012 were presented.
  - Council Workshop minutes of April 24, 2012 were presented.
  - Laurel Public Library Board of Trustees minutes of December 13, 2011 were presented.
  - Laurel Public Library Board of Trustees minutes of January 10, 2012 were presented.
  - Laurel Public Library Board of Trustees minutes of February 14, 2012 were presented.
  - Laurel Public Library Board of Trustees minutes of March 20, 2012 were presented.



--Tree Board minutes of February 16, 2012 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:** None.
- **Ordinance No. O12-02: An ordinance amending Chapter 8.12 titled "Nuisances" located at Title 8 of the Laurel Municipal Code.** Second reading.

Motion by Council Member Poehls to adopt Ordinance No. O12-02, seconded by Council Member Mace. There was no public comment.

Council Member Eaton stated congratulations to the code enforcement part of the city staff because they have had to go out often with no backing behind them and this is a step toward supporting the staff.

Mayor Olson thanked Council Member Eaton and stated that he will inform them of her statement.

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

- **Resolution No. R12-25: A resolution of the City Council authorizing the Mayor to sign an agreement with Industrial Communications and Electronics for support renewal.**

Motion by Council Member Eaton to approve Resolution No. R12-25, 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. R12-26: A resolution of the City Council adopting job descriptions for Wastewater Treatment Plant Chief Operator, Wastewater Treatment Plant Operator I and Wastewater Treatment Plant Operator II.**

Motion by Council Member McGee to approve Resolution No. R12-26, seconded by Council Member Eaton. There was no public comment.

Council Member Mace asked if the city is reviewing the required qualifications in other departments.

Mayor Olson stated that the required qualifications for the city's upgrades to the wastewater plant would be covered going forward.

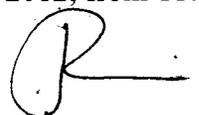
Council Member Mace suggested that qualifications for other areas of the city should be reviewed by the CAO.

Mayor Olson stated that the city would be proactive and do that.

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

- **Rod and Gun Club's request to use the outside shotgun shooting range for an event at Riverside Park on May 19, 2012.**

Motion by Council Member Nelson to approve the request from the Laurel Rod and Gun Club to use the outside shotgun shooting range for an event at Riverside Park on May 19, 2012, from 11:00



a.m. to 6:00 p.m., contingent upon providing the City Staff proof of the appropriate insurance coverage, seconded by Council Member Poehls. There was no public comment.

Council Member Mace asked if the approval of the city's permit to do work in Riverside Park would affect this event.

Mayor Olson stated that the levee restoration project is not ready to start yet. The Public Works Department turned the water on yesterday, so water should be available for the event. At this time, it appears that the septic tank for the Jaycee Hall at Riverside Park is useable. Mayor Olson does not think there would be any conflict, as construction would not start until after May 19<sup>th</sup>.

Council Member Poehls mentioned that the council has discussed the need for shooting in the park to end at some point.

Mayor Olson stated that there will be more discussion at the next council workshop, but the current issue is to allow the Rod and Gun Club to use the outdoor shooting range on May 19<sup>th</sup> from 11:00 a.m. to 6:00 p.m.

Curt Lord, 418 West 12<sup>th</sup> Street, asked regarding the insurance requirements, as the Rod and Gun Club has had a \$1 million policy for years.

Mayor Olson stated that should be adequate, but he will make sure.

Mayor Olson stated that this was the time for council discussion and audience participation was asked for prior to council discussion. He asked the council to allow him to go back to public input so some audience members could speak. He asked audience members to give their name and legal address if they wished to speak.

Steve Krum, 249 24<sup>th</sup> Avenue West in Laurel, asked regarding last week's proposal for the clubs to meet with the insurance company since the statement was made that the goal is to no longer allow any outdoor shooting. He stated that is not the goal for some of the clubs.

Mayor Olson stated that the council directed him to contact MMIA, the city's insurance carrier, and he recently spoke with John Cummings at MMIA. Alan Hulse has been the point of contact on this issue, and he is on vacation until the end of this week. During the discussion, Mr. Cummings stated that it is the council's decision whether or not to provide the opportunity for the clubs. The insurance carrier has often stated the risk to allow shooting, but they will not prohibit it. Mayor Olson will contact John Cummings and Alan Hulse again soon.

Steve asked if the task force would meet again.

Mayor Olson stated that Council Member Nelson is the chairman of the task force. Notice of the meetings will be posted.

Mayor Olson asked if there was any other audience participation. There was none.

Council Member Nelson reminded everyone that the leases have expired and there is no shooting at the park right now and there will not be unless the council decides to approve new leases that allow outdoor shooting. The issue tonight is for the Rod and Gun Club's annual May membership drive.

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.

At 6:54 p.m., Mayor announced a two-minute recess. Mayor Olson called the meeting back to order at 6:56 p.m.

**COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):** None.

**COUNCIL DISCUSSION:**

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

Council Member Poehls thanked the council for him to be gone on vacation last week.



Council Member Mace stated that it is nice to see construction starting on the East Main sidewalk project.

Council Member Eaton stated that, during the short recess, it was brought to her attention that members of the audience cannot hear what is being said. Council members need to use the microphones so the audience can hear.

Mayor Olson stated that the city received the Army Corps' permit for the levee restoration today. Mayor Olson signed and returned the permit to the Army Corps, acknowledging that the city received the permit for the work in the river. The permit gives authority to reconstruct and stabilize approximately 715 linear feet of riverbank on the south side of the river. The permit also gives authority to take out 5,500 cubic yards of debris that has collected around the city's north intake on the north side of the river. Of the 5,500 cubic yards, the city can use 1,400 cubic yards to reconstruct the levee on the south side. Great West Engineering has read the permit. The city has permission from Fish, Wildlife and Parks to look at a process to install a boat ramp. The city is applying for a \$9,600 permit from DEQ, which is needed to go forward with the final permitting phase for reconstruction of the south levee at Riverside Park. The city will be in contact with Charles Baird from FEMA, who has indicated that the city will receive FEMA funding for the project. Mr. Baird will talk to his immediate supervisor, who is the authorizing signature for funding. Mayor Olson explained that the permit requires the City of Laurel to buy some environmental credits by July 31, 2012. Any entity that works in the river is required to buy credits if the river is impacted and that funding goes for other projects that help with stabilization and wetlands along the river. Great West Engineering estimates that would be approximately \$50,000. Staff is aware of the issues and is working diligently to comply. Any further information will be given to the council as it is received.

Mayor Olson spoke regarding the sidewalk restoration project on East Main Street. This is a Montana Department of Transportation project, and the City of Laurel provided some CTEP Funds into their project. MDT did the engineering, the bidding and the contracting, for the project in the state's right-of-way. The project should enhance the downtown sidewalk area and trees will be planted in some of the boulevards. When the trees are planted, they will be put in a silo so the roots will grow down four to five feet before they grow out, which will minimize the impact to the sidewalks.

Mayor Olson asked the council to complete the LURA survey. LURA is trying to develop a five-year work plan and has requested input from the public and council. Surveys should be sent to Ann Clancy, who was chosen to help facilitate the project.

Mayor Olson reported on today's Arbor Day Celebration at the library. The first and second graders from West School helped plant two Norway maples and one Honey Locust trees at the library. DNRC representative Matt Wolcott presented Kurt Markegard with a six-year pin, as this is the sixth year the City of Laurel had a Tree City Arbor Day Celebration.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Council Member Dickerson 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 seven council members present voted aye. Motion carried 7-0.

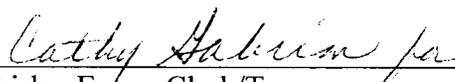
There being no further business to come before the council at this time, the meeting was adjourned at 7:12 p.m.

  
Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15<sup>th</sup> day of May, 2012.

  
Kenneth E. Olson, Jr., Mayor

Attest:

  
Shirley Ewan, Clerk/Treasurer