

# MINUTES OF THE CITY COUNCIL OF LAUREL

June 19, 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 June 19, 2012.

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

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 Dickerson to approve the minutes of the regular meeting of June 5, 2012, as presented, 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.

## CORRESPONDENCE:

Laurel Chamber of Commerce: Minutes of May 24, 2012; Agenda of June 14, 2012.

**PUBLIC HEARING:** None.

## CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of May 2012.**
- **Approval of Payroll Register for PPE 06/10/2012 totaling \$165,086.69.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of June 5, 2012 were presented.

--Park Board minutes of June 7, 2012 were presented.

--City-County Planning Board minutes of June 7, 2012 were presented.

--Public Works Committee minutes of June 11, 2012 were presented.

--Council Workshop minutes of June 12, 2012 were presented.

--Laurel Urban Renewal Agency minutes of May 21, 2012 were presented.

--Laurel Urban Renewal Agency Special Meeting/Planning Session minutes of May 30, 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 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 Fire Department:**

Mayor Olson appointed Jason Penne to the Laurel Fire Department.

Motion by Council Member Poehls to approve the Mayor's appointment of Jason Penne to the Laurel Fire Department, 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.

**Laurel Airport Authority:**

Mayor Olson reappointed Randy Hand to the Laurel Airport Authority for a five-year term ending June 30, 2017.

Motion by Council Member Eaton to approve the Mayor's appointment of Randy Hand to the Laurel Airport Authority for a five-year term ending June 30, 2017, 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.

**Board of Appeals:**

Mayor Olson reappointed Bob Western, Marvin Carter and Miles Walton to the Board of Appeals for two-year terms ending June 30, 2014.

Motion by Council Member Stokes to approve the Mayor's reappointments of Bob Western, Marvin Carter and Miles Walton to the Board of Appeals for two-year terms ending June 30, 2014, 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.

**Cemetery Commission:**

Mayor Olson reappointed Scot Stokes, Wallace Hall and Chuck Rodgers to the Cemetery Commission for two-year terms ending June 30, 2014.

Motion by Council Member McGee to approve the Mayor's reappointments of Scot Stokes, Wallace Hall and Chuck Rodgers to the Cemetery Commission for two-year terms ending June 30, 2014, 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.

**Tree Board:**

Mayor Olson reappointed Sue Carter to the Tree Board for a three-year term ending June 30, 2015.

Motion by Council Member Nelson to approve the Mayor's reappointment of Sue Carter to the Tree Board for a three-year term ending June 30, 2015, 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.

Mayor Olson appointed Aaron Christiansen to the Tree Board for a 3-year term ending June 30, 2015.



Motion by Council Member Mountsier to approve the Mayor's appointment of Aaron Christiansen to the Tree Board for a three-year term ending June 30, 2015, 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.

**City-County Planning Board:**

Mayor Olson reappointed Greg Nelson as the Member-at-Large on the City-County Planning Board for a two-year term ending June 30, 2014.

Motion by Council Member Dickerson to approve the Mayor's reappointment of Greg Nelson as the Member-at-Large on the City-County Planning Board for a two-year term ending June 30, 2014, 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.

Mayor Olson reappointed David Schreder as a Mayor appointment on the City-County Planning Board for a two-year term ending June 30, 2014.

Motion by Council Member Mace to approve the Mayor's reappointment of David Schreder as a Mayor appointment on the City-County Planning Board for a two-year term ending June 30, 2014, 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.

Mayor Olson stated the Council reappointments of Dan Koch as a Council appointment on the City-County Planning Board for a two-year term ending June 30, 2014 and Dennis Eaton as a Council appointment to a term ending June 30, 2013.

Motion by Council Member Poehls to approve the reappointments of Dan Koch as a Council appointment on the City-County Planning Board for a two-year term ending June 30, 2014 and Dennis Eaton as a Council appointment to a term ending June 30, 2013, 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.

**Library Board:**

Mayor Olson appointed Rose Marie Kline to the Library Board for a five-year term ending June 30, 2017.

Motion by Council Member Eaton to approve the Mayor's appointment of Rose Marie Kline to the Library Board for a five-year term ending June 30, 2017, seconded by Council Member McGee. 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 Rifle Club's request to use the outside shooting range at Riverside Park for the Big Sky State Games on Saturday, July 21, 2012, from 7:00 a.m. to 2:00 p.m.**

Motion by Council Member McGee to approve the Laurel Rifle Club's request to use the outside shooting range at Riverside Park for the Big Sky State Games on Saturday, July 21, 2012, from 7:00 a.m. to 2:00 p.m., seconded by Council Member Mace.

Steve Krum, 249 24<sup>th</sup> Avenue West, thanked the council for considering the request. He stated that there have been questions about the statement in the lease that the club would quit using the range after four years. He spoke regarding the club's history of requests for leases and the club's goal for continuation of the lease. There was never acknowledgement by the clubs that they were negotiating the end. There have been negotiations that never resulted in a finalized lease since the original leases expired in 1998. The club got a \$2 million primary insurance policy at the city's request. In 2006, the club signed a short-term lease that allowed them to apply for funding from the NRA for improvements on the shooting range. Steve stated that the Laurel Rifle Club is a small shooting club with minimal turnover in membership. He mentioned some Olympic gold medal shooters that have practiced at the shooting range in the past. He stated that the unique facility is a very controlled environment, the people that will attend the event will be focused on it, and that shooting is not a big spectator sport. Regarding concerns about the bank, the club always does some prep work for the range prior to the shooting and will make sure that the fences are up.

There was no further public comment or council discussion.

Mayor Olson stated that there is still a contract, even though it is outdated, that states there will be no outside shooting, other than this event if it is approved by the council.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R12-33: A resolution approving Amendment No. 1 to the previously adopted Task Order No. 22, authorizing Great West Engineering to provide additional services relating to the Riverside Park Bank Stabilization Project for the City of Laurel.**

Motion by Council Member McGee to approve Resolution No. R12-33, 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. R12-34: A resolution approving the attached Task Order No. 25 authorizing Great West Engineering to assist the City with the analysis, study and preparation of an Intake Emergency Response Plan for the City's Water Treatment Plant.**

Motion by Council Member Stokes to approve Resolution No. R12-34, 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.

- **Resolution No. R12-35: A resolution approving the attached Task Order No. 26 authorizing Great West Engineering to provide engineering services related to the preparation of a study to determine the feasibility of constructing a new Water Treatment Plant intake due to the previous year's Yellowstone River flooding.**

Motion by Council Member Nelson to approve Resolution No. R12-35, seconded by Council Member Eaton. There was no public comment.

Council Member Poehls spoke regarding the three resolutions. Since the projects are costing money that the City of Laurel has already done and FEMA wants to build a new intake instead of rebuilding the bank, he asked if FEMA will provide the funding for the projects.

Mayor Olson stated that FEMA has stated that the funding would be provided, but the city has asked for documentation of that. Mayor Olson stated that updates regarding the task orders will be given to the council as things progress.

Council Member Mace stated that city staff has done a great deal of work gathering the information that was required for Resolution No. R12-33. No one else brought the information forward, and the Public Works Director and the CAO, as well as others, went over and above their job descriptions to get the information. FEMA agreed that there was an occurrence, has acknowledged an intake problem, and has verbally agreed to fund a new water intake in a new location. Council Member Mace stated that he could not say enough for the work the employees did.

There was no further council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R12-36: Resolution of the City Council granting a variance from the City's Zoning Regulations which prohibit an alley acting as primary access to a property to allow the owner to build upon his property without completing street improvements.**

Motion by Council Member Mountsier to approve Resolution No. R12-36, seconded by Council Member Mace. There was no public comment.

Council Member Poehls stated that no amendment had been made to the conditions in the resolution and clarified that the house would have to face East 11<sup>th</sup> Street.

There was no further council discussion. A vote was taken on the motion. Motion carried 7-1, with Council Member Nelson voting nay.

- **Resolution No. R12-37: A resolution supporting the continued funding of the Local Government Center at Montana State University.**

Motion by Council Member Dickerson to approve Resolution No. R12-37, 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. R12-38: A resolution of the City Council authorizing the Mayor to sign a Memorandum of Understanding for Operation and Cost Sharing for Public Transportation Services between the City of Laurel, Montana, and the Adult Resource Alliance of Yellowstone County.**

Motion by Council Member Mace to approve Resolution No. R12-38, 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. R12-39: A resolution approving an agreement between the City of Laurel and the City of Billings relating to solid waste disposal.**

Motion by Council Member Poehls to approve Resolution No. R12-39, 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.

- **Resolution No. R12-40: A resolution authorizing the Mayor to execute a two-year contract for City Attorney Legal Services between the City of Laurel and Elk River Law Office P.L.L.P.**

Motion by Council Member Eaton to approve Resolution No. R12-40, seconded by Council Member Nelson. There was no public comment.

Council Member Mace asked how the legal services were working at this time.

Mayor Olson stated that the CAO previously reported to the council that everyone was happy with the way it is working. Mayor Olson thinks the civil and prosecutorial services are working well, and the city attorney is available as needed.

There was no further council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R12-41: A resolution of the City Council resetting its July 3<sup>rd</sup> regular council meeting to July 2<sup>nd</sup> in order to avoid conflicts with events and festivities planned for the July 4<sup>th</sup> celebration.**

Motion by Council Member McGee to approve Resolution No. R12-41, seconded by Council Member Nelson. There was no public comment.

Council Member McGee stated his understanding that the council is considering this tonight in order to provide ample opportunity for the change in date to be published for the public.

Mayor Olson agreed that the date change needed to be posted and advertised, according to state statute.

There was no further 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 will discuss the dog ordinance at the next meeting on Monday, June 25<sup>th</sup>.

Council Member Mace recognized that Dick Fritzler was at the council meeting.

Council Member Mace stated that Dan Koch addressed the Budget/Finance Committee regarding water service for sprinklers. The issue will be taken to the Public Works Committee.

Council Member Dickerson asked regarding council permission for the Fire Department to shoot fireworks off on the 4<sup>th</sup> of July.

Mayor Olson stated that, as per LMC, the Mayor grants permission for the department to set off fireworks.

Council Member Nelson stated that the Cemetery Commission would not meet this month but would meet in July to inform members that the Commission will review the project after the budgeting cycle is over.

Mayor Olson stated that he will contact Commissioner Kennedy to set up a meeting with Council Member Nelson.

Council Member Nelson mentioned that the representative from MMIA has three days available in July to meet with the city. The task force meeting needs to be publicized.

Council Member McGee suggested that people attend the Emergency Services meeting regarding the dog ordinance.

Council Member McGee mentioned the meeting on Thursday at 8:30 a.m. regarding an area wide 911 Dispatch Center. He stated that the city needs to be there as it could involve the city in the future.

Council Member McGee and Mayor Olson attended the Big Sky Economic Development Authority's trip to Sidney and Williston last Thursday and Friday. The biggest thing he realized was that every dollar a city spends on infrastructure improvement is a dollar well spent. He spoke regarding the dilemmas that Sidney, Williston, and numerous communities have experienced with the Bakken oil boom. He would like the City of Laurel to continue its proactive and aggressive pursuit in developing water and infrastructure for future subdivisions. Two big struggles for the communities are to get housing in place quickly and to find people to fill service jobs that desperately need to be filled.

Council Member Eaton appreciated the statement regarding infrastructure. When reviewing minutes, she read that LURA is thinking about using TIFD dollars to pay for an expert to bring businesses into Laurel. She thinks it is a wonderful idea to have someone represent Laurel and seek new businesses, but wonders whether or not that is the best use of the TIFD dollars. She asked for further discussion at the next council workshop.

Mayor Olson thanked Council President Poehls for taking his place for the last two meetings. He also stated appreciation for the cards, flowers and support from everyone.

Mayor Olson spoke regarding the recent trip to Sidney and Williston, the impacts that the Bakken oil boom has had in Sidney, Williston, and other communities, the issues with finding employees for support service jobs, the construction of houses, motels and hotels, and the expansion impacts on the local electric cooperative. Mayor Olson stated the need for the City of Laurel to seriously consider the bulk water issue and to provide the necessary tools for future growth.

Council Member Eaton mentioned that the oil boom is trickling back to Billings and asked if there were any opportunities for a community like Laurel to help in that situation.

Mayor Olson stated that discussion should take place at the next workshop regarding having a person employed for economic development, as the city does not currently have a person on staff whose primary purpose is to entice business to come to Laurel. Council discussion would be helpful, as LURA understands that the council makes the final decisions.

Mayor Olson spoke regarding a TIFD meeting in Miles City next Tuesday from 10:00 a.m. to 3:00 p.m. Several city and LURA representatives plan to attend and council members are also welcome to attend.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Council Member Stokes to adjourn the council meeting, 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.

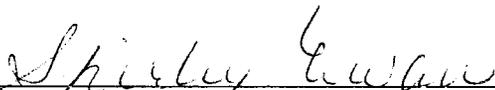
There being no further business to come before the council at this time, the meeting was adjourned at 7:25 p.m.

  
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Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 2<sup>nd</sup> day of July, 2012.

  
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Kenneth E. Olson, Jr., Mayor

Attest:

  
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Shirley Ewan, Clerk/Treasurer