

MINUTES OF THE CITY COUNCIL OF LAUREL

July 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 July 17, 2012.

COUNCIL MEMBERS PRESENT:

Bruce McGee	Doug Poehls
Scot Stokes	Mark Mace
Tom Nelson	Chuck Dickerson
	Bill Mountsier

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:

Special Council Minutes of June 29, 2012

Motion by Council Member Mountsier to approve the minutes of the special meeting of June 29, 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.

Council Minutes of July 2, 2012

Motion by Council Member Dickerson to approve the minutes of the regular meeting of July 2, 2012, as presented, 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.

CORRESPONDENCE:

Montana State University, Local Government Center: Letter of July 2, 2012 regarding Resolution No. R12-37.

Laurel Chamber of Commerce: Minutes of June 28, 2012; Agenda of July 12, 2012.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of June 2012.**
- **Approval of Payroll Register for PPE 07/08/2012 totaling \$207,462.45.**
- **Receiving the Committee Reports into the Record.**

--Budget/Finance Committee minutes of July 2, 2012 were presented.

--Public Works Committee minutes of July 9, 2012 were presented.

--Council Workshop minutes of July 10, 2012 were presented.

--Emergency Services Committee minutes of June 25, 2012 were presented.

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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.**

Floodplain Administrator:

Mayor Olson appointed Monica Plecker as the Floodplain Administrator for the City of Laurel.

Motion by Council Member Poehls to approve the Mayor's appointment of Monica Plecker as the Floodplain Administrator for the City of Laurel, 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.

Emergency Services Committee:

Mayor Olson appointed Bill Mountsier to the Emergency Services Committee.

Motion by Council Member Nelson to approve the Mayor's appointment of Bill Mountsier to the Emergency Services Committee, 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. R12-52: A resolution authorizing the Mayor to sign an Engagement Letter with Dorsey & Whitney, LLP as bond counsel for the issuance of special improvement district bonds for the Elena Subdivision Special Improvement District.**

Motion by Council Member McGee to approve Resolution No. R12-52, 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.

- **Resolution No. R12-53: Resolution relating to Special Improvement District No. 114; Declaring it to be the intention of the City Council to create the District for the purpose of undertaking certain local improvements and financing the costs thereof and incidental thereto through the issuance of Special Improvement District Bonds secured by the City's Special Improvement District Revolving Fund; and providing for the maintenance of the improvements.**

Motion by Council Member Stokes to approve Resolution No. R12-53, seconded by Council Member Nelson. There was no public comment.

Council Member Mace stated that the resolution provides for the maintenance and asked if the construction was in a different resolution.

Mayor Olson stated that "undertaking certain local improvements and financing the costs thereof and incidental thereto" refers to the construction of the SID.

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

- **Resolution No. R12-54: A resolution authorizing the Mayor to execute a contract for the City Prosecutor position between the City of Laurel and Matthew Wilcox.**

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Motion by Council Member Nelson to approve Resolution No. R12-54, 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. R12-55: A resolution of the City Council authorizing the Mayor to sign a contract with Dr. Thomas Bennett for the Medical Director position for the Laurel Ambulance Service.**

Motion by Council Member Mountsier to approve Resolution No. R12-55, 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Jennifer Ries, 4330 Dobrinka Drive, #9, Billings, Montana, asked that someone ask the city's website administrator to update the dates on the city's calendar, as some of them are incorrect.

COUNCIL DISCUSSION:

Council Member Poehls stated that the Emergency Services Committee would meet on Monday, July 23rd, at 5:30 p.m. to work on the dog ordinance.

Council Member Mace stated that it is good to see some businesses doing some upgrades and improvements to their properties on South First Avenue.

Council Member Dickerson asked for an answer at the July 31st workshop regarding whether the city or the county is responsible to fix the large potholes at 12th Street and Valley Drive.

Council Member Mountsier mentioned the parking issues at the high school stadium and asked how the issues would be addressed.

Mayor Olson stated that the city needs to take some responsibility. There are signs that indicate no parking within certain areas and the city needs to start enforcing the signs. The superintendent of schools is in agreement with that and staff is aware of that. Going into the new season when the football stadium will be used often, the city needs to educate people of the off limits parking and put up the proper signage.

Council Member Mountsier asked how they would be educated.

Mayor Olson spoke about the challenges of a growing community, the problems that have arisen with the new stadium, the fact that past accepted practices need to be changed, and the need to inform people of the changes.

There was further discussion regarding the parking issues, the suggestion to tow vehicles, the need to take action, and the possibility of including information in the city's next newsletter and in the newspaper.

Council Member Mountsier spoke with Sheriff Mike Linder last week regarding the problems with skateboarders. As he is not aware of a current statute, Sheriff Linder suggested that the city consider a municipal ordinance to address the problem. Council Member Mountsier also asked him about cross-deputizing some city officers, but he thinks that would create other problems.

There was discussion regarding the issues and concerns about the skateboarders. According to the current ordinances and laws, there is nothing to distinguish a skateboarder being different than a bicyclist. The council has the prerogative to go forward with an ordinance, but an opinion is needed from legal staff to insure that discriminatory action would not be a result. Mayor Olson will contact the city attorney and report back to council.

Council Members Nelson and McGee and Mayor Olson met with Alan Hulse of MMIA concerning the issue of the leases at Riverside Park for shooting. Council Member Nelson stated that they will try to get more citizens involved in the task force to discuss the long-term future of the park, as

opposed to the short-term aspects, and to get citizens' comments regarding what they want to see in the park in five or ten years.

Council Member Nelson asked for an update on the review of the city's comprehensive growth policy at the next council workshop.

Mayor Olson will ask Monica Plecker for a report for the council.

Council Member Stokes asked for an update regarding the speed limit on East Railroad Street.

Mayor Olson stated that the speed limit was supposed to be on the Transportation Committee's agenda in May, but that did not happen. An update will be provided to the council soon.

Mayor Olson reported on the SRF funding for the wastewater project. The South First Avenue storm water project was the first TIF project that was on LURA's agenda and that was accomplished by borrowing the money from the water and sewer funds. When that was done, it put a debt service on the sewer fund. When the city applied for funding for the main sewer project scheduled to go out for let in September, the numbers did not come in well. Subsequently, the city approached LURA about paying off the loan early. LURA agreed to do so, which takes the debt service away from the sewer fund. The proposal was submitted to the DNRC and they approved the loan for the sewer project. According to Great West, the project should go out for bids around the first of September with the bid opening at the end of September. Mayor Olson stated appreciation for the work done by CAO Heidi Jensen, Clerk/Treasurer Shirley Ewan, and Public Works Director Kurt Markegard in order to secure the loan.

Copies of a memo from CAO Heidi Jensen were distributed to the council. The memo was a recap of today's meeting with FEMA representatives.

Council Member McGee Bruce stated the memo appeared to have better news than previously received.

Mayor Olson told Mr. Baird today that he is cautiously encouraged that there is a foundation for a plan to go forward. The exposure of the pipe feeding the water was one of the triggering devices to allow FEMA to go into the river, which is the emergency work that must be done. The next concern is the permanent long-term fix for the bank/levee restoration. The city recently told Great West to stop work until reimbursement funding was triggered. FEMA has stated that with the beginning of emergency funding, further funding should follow. The city has instructed Great West to go forward with the request from FEMA to engineer the rest of the project. With the \$36,000 allocation from Fish Wildlife and Parks, the boat ramp should be restored to maintain the river access site. At today's meeting, staff expressed concerns regarding the amount of money allocated for engineering costs for the project. FEMA will now accept engineering invoices the city has paid for consideration for reimbursement. FEMA will fund the \$80,000 for the emergency work at Riverside Park.

Mayor Olson stated that the city will seek information from Williston-Basin and Exxon Mobil regarding their pipelines in the park.

There was further discussion regarding the staff and council's frustration with FEMA's responses to the issues at Riverside Park. As was done prior to the last couple months, FEMA has again scheduled conference calls with the City of Laurel on Tuesday mornings at 10:00 a.m. At today's meeting, staff stressed that the city is starting to see low water again and something needs to be done soon. Mayor Olson will keep the council informed.

The next council workshop will be on July 31st, as no meeting is scheduled on July 24th.

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 7:10 p.m.

Cindy Allen
Cindy Allen, Council Secretary

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

for Kenneth E. Olson, Jr., Mayor

Attest:

Shirley Ewan
Shirley Ewan, Clerk/Treasurer