

MINUTES OF THE CITY COUNCIL OF LAUREL

September 18, 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 September 18, 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:

Motion by Council Member Dickerson to approve the minutes of the regular meeting of September 4, 2012, 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.

CORRESPONDENCE: None.

PUBLIC HEARING: None.

CONSENT ITEMS:

- **Clerk/Treasurer Financial Statements for the month of August 2012.**
 - **Approval of Payroll Register for PPE 09/02/2012 totaling \$169,948.68.**
 - **Receiving the Committee Reports into the Record.**
- Budget/Finance Committee minutes of September 4, 2012 were presented.
- Park Board minutes of September 6, 2012 were presented.
- Council Workshop minutes of September 11, 2012 were presented.
- Emergency Services Committee minutes of August 27, 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 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Patrick Billman, 15 Fourth Avenue, stated that this was the second time he attended a council meeting. He thanked Mayor Olson and the Council and stated that it was a pleasure to salute the



flag. Patrick realizes that the council cannot please everyone, but Laurel is a safe, clean town and he enjoys living here. He stated that the council has a lot of weight on its shoulders because it makes decisions that affect him and everybody else, and he wanted them to know that they are doing a good job. Patrick again thanked the council and mayor.

Mayor Olson thanked Mr. Billman for his comments.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**
- **Ordinance No. O12-04: An ordinance amending Section 5.08.040 of the Laurel Municipal Code titled "Contractor's license and bond requirements" located at Chapter 5 of the Laurel Municipal Code. Second reading.**

Motion by Council Member Poehls to adopt Ordinance No. O12-04, seconded by Council Member Mace. There was no public comment or council discussion. A roll call vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Ordinance No. O12-05: An ordinance amending Section 2.10.080(A) of the Laurel Municipal Code titled "Public Hearing" located at Title 2 of the Laurel Municipal Code. Second reading.**

Motion by Council Member McGee to adopt Ordinance No. O12-05, seconded by Council Member Poehls. There was no public comment or council discussion. A roll call vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

- **Ordinance No. O12-06: Ordinance amending the requirements for home occupations as provided in the Laurel Municipal Code at Chapter 17.52 of the Laurel Municipal Code. First reading.**

Motion by Council Member Dickerson to adopt Ordinance No. O12-06, seconded by Council Member Mace. There was no public comment or council discussion. A roll call vote was taken on the motion. All seven council members present voted aye. Motion carried 7-0.

The public hearing for Ordinance No. O12-06 will be on October 16, 2012.

- **Resolution No. R12-78: Budget amendment resolution amending appropriation and reserves for various funds for fiscal year 2011-2012.**

Motion by Council Member Mountsier to approve Resolution No. R12-78, 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. R12-79: A resolution of intent of the City Council to extend the corporate boundaries of the City of Laurel by annexing a parcel of city owned park land that is contiguous to the city limits, such annexation to include all the adjacent and adjoining rights-of-way to the annexed property, in Yellowstone County, Montana.**

Motion by Council Member Stokes to approve Resolution No. R12-79, 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. R12-80: A resolution of the City Council accepting the East Railroad Street Traffic Study and recommending implementation of the 35 mile per hour speed zone change.**

Motion by Council Member Nelson to approve Resolution No. R12-80, seconded by Council Member McGee. There was no public comment.

Council Member Stokes stated that, before the council changes the speed limit to 35 mph by Walmart and by the silos, the council should really think about the lack of sidewalks out there. He stated that there is a lot of foot traffic going up that road, but there is no kind of sidewalk. In the

wintertime, if somebody is going 35 and hits their brakes, it could cause problems. Also, he is concerned about folks crossing to pick up their mail where the city just annexed, as he has seen people almost get hit when running across the street. Before any changes are made, he thinks the council should think about the traffic unless the city wants to put a sidewalk out there and do something for the pedestrians.

Council Member Mace asked if there is a paved walkway all the way to Bernhardt Road.

Council Member Poehls stated that Walmart was supposed to put in a paved or gravel walkway all the way between the railroad tracks [First Avenue] and Bernhardt Road on the south side of the road.

Council Member Stokes stated that there is some gravel, but in the wintertime when they try to plow, it is nothing. The reason he brought it up is that last year he was driving 25 mph down there and almost hit a pedestrian. He would love to see the 35 mph speed limit, but he is thinking about the foot traffic for people walking from Walmart into Laurel.

Council Member Dickerson recommended that the council table the resolution for further discussion at the next workshop and the determination regarding Walmart's requirement to install a walkway.

Mayor Olson stated that, according to Roberts Rules of Order, the council could postpone consideration of the item if a majority of the council members present votes to do so.

Motion by Council Member Dickerson to postpone consideration of Resolution No. R12-80, seconded by Council Member Poehls. There was no public comment.

Council Member McGee stated that postponement is totally unnecessary. He thinks there is ample right-of-way for pedestrians out there in the summer, winter, spring and fall. While it is not paved, it is wide and there is lots of space. The 10 mph increase to the speed limit, which is long overdue, will not change anything in his opinion. He stated that the council should vote on it tonight.

Council Member Nelson stated that it probably would not hurt to wait two weeks and have another discussion, so he was comfortable with withdrawing his previous motion to approve the resolution.

Mayor Olson stated that the council was in discussion for that motion. Mayor Olson read statements from an email the Public Works Director received from Doug Bailey in the State Traffic Section.

"I still need to review the crash data. In the meantime, with the data we have provided, please review Laurel's area of concern and specify the desired speed limit. We will prepare a specific speed limit recommendation for the entire route. This will be presented to both Laurel and Yellowstone County for final approval before going forward to the Montana Transportation Commission."

Mayor Olson explained that the Montana Transportation Commission actually sets the speed limit for all roads in incorporated cities. The City of Laurel needed a divergence because it state law states that 25 mph is the speed limit within municipalities. The city is making a recommendation to the Montana Transportation Commission, as well as the Yellowstone County Commissioners, on this issue. The allowed timeframe could be used to further discuss the sidewalk issue. The City of Laurel would be making a recommendation to the Montana Transportation Commission.

Council Member Dickerson stated that, with the Mayor's explanation and the possibility for discussion at the workshop, he would like to remove his request for postponement of the item.

Council Member Poehls stated that the council needed to decide whether or not to postpone the item with a council vote.

Mayor Olson restated the motion and second to postpone consideration of Resolution No. R12-80. A vote was taken on the motion. Council Members Mace, Dickerson, Mountsier, Nelson and Stokes voted aye. Council Members Poehls and McGee voted nay. Motion carried 5-2.

Mayor Olson stated that there would be discussion at the next council workshop and a date would be set for the vote.

Mayor Olson stated that the final vote had not been taken yet on the motion to approve Resolution No. R12-80.

Council Member McGee stated that the resolution is on the table and has to come back before the council for a vote.

Mayor Olson agreed that was correct.

- **Resolution No. R12-81: A resolution of the City Council authorizing the Mayor to sign a contract with Prorover for tree trimming in the City of Laurel.**

Motion by Council Member Mace to approve Resolution No. R12-81, 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. R12-82: A resolution accepting the bid and authorizing the Mayor to sign a contract with Donnes, Inc. to provide backfilling for the water main located at Riverside Park.**

Motion by Council Member McGee to approve Resolution No. R12-82, 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.

- **Letter of support for a skate park, provided that a suitable location is available.**

Motion by Council Member Poehls to authorize the Mayor to sign the letter of support for a skate park, provided that a suitable location is available, seconded by Council Member Dickerson. There was no public comment.

Council Member Mace asked for any suggestions regarding a good location for the skate park so he could give that information to the task force.

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): None.

COUNCIL DISCUSSION:

Council Member Poehls stated that the Emergency Services Committee meeting is scheduled on Monday at 5:30 p.m. in the council chambers.

Council Member Dickerson spoke regarding the area on 12th Street that was recently donated as parkland. The area has been mowed and it really looks nice. He thinks that the addition of grass will be great and the area coming off the walking bridge will be less of a hazard. Council Member Dickerson thanked the city for getting that work done.

Council Member Mace commented regarding the Public Works Director's suggestion that the property owners donate the land to the city and dedicate it as parkland. He stated that it is nice to know that there are people that are looking after the city and trying to make it a better place. He asked if the council could have a letter of appreciation for Public Works Director Kurt Markegard that would indicate that the council approves of how he is handling the job.

Mayor Olson asked for council discussion.

Council Member Dickerson suggested that a letter of appreciation be drafted for the council to individually sign at the next council workshop.

Mayor Olson stated that a letter would be drafted. He mentioned that in previous years the Laurel Jaycees and the Laurel Chamber of Commerce presented awards to people for their service in the community.

Council Member Dickerson asked for discussion regarding any plans for a plaque for the Richmond's donation of the parkland on West 12th Street.

Council Member Mace suggested that the Park Board should consider the plaque and make a recommendation to the council.

Mayor Olson asked Council Member Dickerson if that would be acceptable.

Council Member Dickerson agreed and stated that the item could be on the council workshop following the next Park Board meeting.

Council Member Mountsier complimented Heidi Jensen on the progress with the parking issues at sports complex. He has seen a lot of improvement and people are starting to comply with the parking requirements. Some minor problems still need to be worked out, as signs are still needed, but he is pleased with the progress.

Mayor Olson stated that he would pass the comments along.

Council Member Nelson asked that his name be included in the letter of support for the Public Works Director, as he will be absent next week.

Council Member McGee asked for discussion about the expired leases and the groups that are still using Riverside Park at the next workshop. He would like to see a resolution developed from the discussions that the city gives the entities leases or does not give them leases, in which case their activities cease and desist.

Council Member Nelson commented that he understands Council Member McGee's desire to get something moved forward. There have been many discussions, but he is not sure it would be prudent to actually move forward with resolutions yet as there are a lot of factors and variables.

Mayor Olson stated that it seemed to be the consensus of both council members that there would be discussion on the park leases at the next workshop. Following that, the council's direction to go forward can be relayed at that time.

Council Member McGee stated that he would definitely like to see it on the workshop agenda for discussion.

Council Member Nelson asked if the previous discussion with Alan Hulse, MMIA, should be brought up then for the council to consider.

Mayor Olson asked Council Members McGee and Nelson to meet following this meeting to write down their recollections from MMIA's perspective.

Mayor Olson thanked Council President Poehls for leading the council workshop in his absence last week.

Mayor Olson stated that another conference call is scheduled with FEMA next Monday at 2:00 p.m. Great West is getting the requested information to FEMA. Charlie Baird has expressed that the issues are getting close to completion.

Mayor Olson mentioned that Council Member Eaton and CAO Heidi Jensen will attend the League of Cities and Towns meeting in Kalispell. He will attend a Legislative Committee meeting in Helena on Thursday, September 20th and will provide a report at the next workshop.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Poehls 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, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 2nd day of October, 2012.



Kenneth E. Olson, Jr., Mayor

Attest:



Shirley Ewan, Clerk/Treasurer

CITY HALL

115 W. 1st St.

PUB WORKS: 628-4796

PWD FAX: 628-2241

WATER OFFICE: 628-7431

WTR FAX: 628-2289

MAYOR: 628-8456

City Of Laurel

P.O. Box 10

Laurel, Montana 59044



Council

DEPARTMENT

September 18, 2012

TO WHOM IT MAY CONCERN:

The Park Board of the City of Laurel held a public comment meeting on September 6, 2012, at 5:30 p.m. in the council chambers at city hall. The purpose of the meeting was to receive comments and input from the public regarding building a skate park at Kiwanis Park in the City of Laurel.

At the close of the Park Board meeting, the Park Board took the following action to make a recommendation to the Laurel City Council:

“Chuck Dickerson moved (2nd by Amy Pollock) that the Park Board ask the Council to approve a skate park provided a suitable location becomes available. This passed 5-0.”

At the regular City Council meeting on September 18, 2012, the Laurel City Council unanimously voted to approve this letter of support for a skate park, provided that a suitable location is available for the skate park.

Thank you very much.

Respectfully,

Kenneth E. Olson, Jr.

Mayor