

MINUTES OF THE CITY COUNCIL OF LAUREL

May 7, 2013

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 7, 2013.

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

Emelie Eaton
Scot Stokes

OTHER STAFF PRESENT:

Monica Plecker

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 Mountsier to approve the minutes of the regular meeting of April 16, 2013, as presented, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

CORRESPONDENCE:

Laurel Chamber of Commerce: Minutes of March 21, 2013; Agenda for April 18, 2013.

PUBLIC HEARING:

- RK Development – Zone change request

Mayor Olson asked City Planner Monica Plecker to present the issue to the council.

Monica stated that the resolution is for approval of a zone change from Residential 7500 to Community Commercial for the property commonly known as TenderNest at the intersection of First Avenue and 12th Street. The property is legally described in the staff report. With the zone change, the current use of the property would come into compliance with the municipal code. The current structures were built with permission through a variance. The property is located in the entryway zoning district; however, the designation does not have any effect on the request, as entryway zoning has more to do with the signage and such. The property is nearly one block in size, so spot zoning is not a risk. The affected property is located adjacent to First Avenue, which is an urban route by MDT standards. The Laurel Growth Management Plan states that “the concept of a commercial node on the north side (of the City) is incorporated in the Land Use Plan, but the idea of just letting commercial business string out along arterial roadways is discouraged.” Monica stated that, while she is required to report on what the growth policy says, the city’s growth policy is not currently in compliance with state law and has not been updated in a decade. Storm water infrastructure is located one block south of the identified property on First Avenue. At the time of development, all subdivision regulations, Montana Public Works Standards, and anything related to the development of the property will be followed. A map showed the exact location of the property. Per the Laurel Municipal Code, the Planning Board held a public hearing and unanimously recommended approval of the zone change. Monica spoke briefly regarding Montana Code Annotated zoning regulations and how they should be considered in accordance with the growth policy.

Mayor Olson invited the applicant to introduce himself to the council.



Randy Swenson, 4510 Highline Drive, Billings, has had TenderNest since it started. He stated that a couple of the neighbors attended the public hearing and both spoke in favor of the zone change.

Mayor Olson opened the public hearing and read the rules governing the public hearing.

Mayor Olson asked four times if there were any proponents. There were none.

Mayor Olson asked four times if there were any opponents. There were none.

Mayor Olson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of April 2013 in the amount of \$264,107.93.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 04/14/2013 totaling \$165,198.40.**
- **Approval of Payroll Register for PPE 04/28/2013 totaling \$176,517.90**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of April 16, 2013 were presented.
 - City-County Planning Board minutes of April 4, 2013 were presented.
 - Public Works Committee minutes of April 8, 2013 were presented.
 - Park Board minutes of April 11, 2013 were presented.
 - Council Workshop minutes of April 30, 2013 were presented.
 - Tree Board minutes of March 21, 2013 were presented.
 - Lease Task Force minutes of April 15, 2013 were presented.
 - Lease Task Force minutes of April 29, 2013 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 six council members present voted aye. Motion carried 6-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Laurel Ambulance Service:

Mayor Olson appointed Matt Helgeson and Kristi McClellan to the Laurel Ambulance Service.

Motion by Council Member Dickerson to approve the Mayor's appointments of Matt Helgeson and Kristi McClellan to the Laurel Ambulance Service, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-19: A resolution authorizing the Mayor to sign an agreement between the City of Laurel and the Drug Enforcement Administration "DEA" assigning a Laurel Police Officer to the Tactical Division Squad Task Force.**

Motion by Council Member Poehls to approve Resolution No. R13-19, seconded by Council Member Mace. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-20: Resolution relating to up to \$80,000 Special Improvement District No. 114 Bond; Authorizing the issuance and private negotiated sale thereof and authorizing the pledge of the revolving fund the security thereof.**

Motion by Council Member Nelson to approve Resolution No. R13-20, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-21: A resolution accepting the bid from Good Earth Works and authorizing the Mayor to sign all related documents for the City of Laurel Elena Subdivision Irrigation Landscaping SID Project.**

Motion by Council Member McGee to approve Resolution No. R13-21, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-22: A resolution of the City Council approving a variance application submitted by RK Development for property located at the intersection of First Avenue and West 12th Street to be rezoned from Residential-7500 to Community Commercial.**

Motion by Council Member Dickerson to approve Resolution No. R13-22, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-23: A resolution of the City Council authorizing the Mayor to sign a Funding Agreement with the Montana Department of Transportation for the Laurel Area Transportation Plan.**

Motion by Council Member Nelson to approve Resolution No. R13-23, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-24: A resolution of the City Council authorizing the Mayor to sign a contract with Robert Peccia & Associates for the development of the Laurel Transportation Plan.**

Motion by Council Member Mountsier to approve Resolution No. R13-24, seconded by Council Member McGee.

Mayor Olson stated that the verbiage in Section Two, Contract Price, was changed to reflect monthly invoices instead of two lump sum payments to the contractor.

There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-25: A resolution of the City Council authorizing the Mayor to sign a lease with the Laurel Rod and Gun Club.**

Motion by Council Member Dickerson to approve Resolution No. R13-25, seconded by Council Member Nelson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.



COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

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

Council Member Dickerson stated that there is a pothole going southbound on First Avenue under the underpass.

Mayor Olson stated that staff will check it out.

Council Member Mountsier asked regarding a tour of the Water Treatment Plant. After a brief discussion, the council agreed to schedule the tour on Tuesday, May 14th, at 5:30 p.m., prior to the 6:30 p.m. council workshop.

Council Member Nelson asked if the Big Sky State Games small bore issue was on next week's workshop agenda and whether Irv Wilke had been notified.

Mayor Olson stated that the issue is on the agenda and the council secretary recently informed Irv Wilke about it.

Mayor Olson explained that the bids received at the bid opening for the WWTP project were higher than expected. Staff is reviewing the city's course of action and will report to the council as soon as possible.

Mayor Olson stated that the city had a conference call with FEMA today. FEMA asked the city to notify the public of opportunities for discussion and input regarding the 2011 flooding event. Council workshop agendas will provide that opportunity going forward. Another conference call with FEMA is scheduled in two weeks.

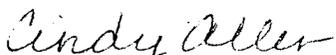
The Elected Officials Workshop starts tomorrow and continues through Friday in Billings. Mayor Olson, Council Member Mace, the Clerk/Treasurer and the Utility Billing Clerk will attend. At the request of the Local Government Center, the CAO and the City Attorney gave a presentation on risk management earlier in the week.

UNSCHEDULED MATTERS: None.

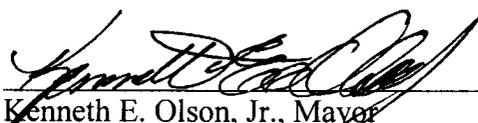
ADJOURNMENT:

Motion by Council Member Mace to adjourn the council meeting, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

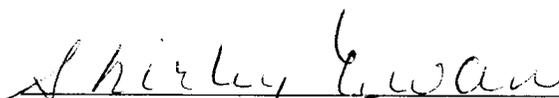
There being no further business to come before the council at this time, the meeting was adjourned at 6:56 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 21st day of May, 2013.


Kenneth E. Olson, Jr., Mayor

Attest:


Shirley Ewan, Clerk/Treasurer