

MINUTES OF THE CITY COUNCIL OF LAUREL

October 1, 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 October 1, 2013.

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

Emelie Eaton
Bruce McGee

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 Nelson to approve the minutes of the regular meeting of September 17, 2013, as presented, 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.

CORRESPONDENCE:

Laurel Chamber of Commerce: Minutes of August 15, 2013; Agenda for September 19, 2013.

PUBLIC HEARINGS:

Mayor Olson read the rules governing the public hearings.

- **Ordinance No. O13-02: An ordinance amending Chapter 15.70 of the Laurel Municipal Code titled "Floodplain Regulations" to comply with the revised regulations issued by Montana's Department of Natural Resources and Conservation.** (First reading 09/17/2013)

Mayor Olson asked Monica Plecker to introduce the item to the council.

City Planner Monica Plecker spoke about the ordinance to update the city's floodplain regulations. She presented this topic recently so just gave a quick overview. The ordinance is a mandated update by FEMA and Montana DNRC. The ordinance and the regulations were vetted through both agencies and their approval was required before the documents were presented to the council. Monica stated that there was a question regarding septic review at the last workshop. The DNRC told her that septic review will still be left up to the County Sanitarian and is not specifically addressed in the ordinances.

Mayor Olson opened the public hearing.

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

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

Mayor Olson closed the public hearing and stated that Ordinance No. O13-02 was item h. under Scheduled Matters.

- **Levy of special assessments in Special Improvement District No. 115**



Mayor Olson asked Monica to present the levy of special assessments in Special Improvement Districts Nos. 115 and 116.

Monica explained that the two resolutions are related to Special Improvement Districts Nos. 115 and 116 and the sidewalk replacement on Fifth Avenue and Cottonwood Avenue. These resolutions are specifically for the tax assessment for the first year, as the city has met the deadline to get the assessments on the November tax rolls. The actual districts have already been established so any protest having to do with the district itself would be separate from these resolutions.

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

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

Mayor Olson closed the public hearing and stated that the resolution was item c. under Scheduled Matters.

- **Levy of special assessments in Special Improvement District No. 116**

Mayor Olson opened the public hearing.

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

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

Mayor Olson closed the public hearing and stated that the resolution was item d. under Scheduled Matters.

CONSENT ITEMS:

- **Claims for the month of September 2013 in the amount of \$750,338.66.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 09/15/2013 totaling \$172,493.99.**
- **Receiving the Committee Reports into the Record.**
 - Budget/Finance Committee minutes of September 17, 2013 were presented.
 - Park Board minutes of September 5, 2013 were presented.
 - Council Workshop minutes of September 24, 2013 were presented.
 - Emergency Services Committee minutes of September 23, 2013 were presented.
 - Tree Board minutes of July 18, 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 Donny Morton to the Laurel Ambulance Service.

Motion by Council Member Stokes to approve the Mayor's appointment of Donny Morton to the Laurel Ambulance Service, 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.

City-County Planning Board:

Mayor Olson appointed Shirley McDermott as the Mayor's appointment on the City-County Planning Board for a term ending June 30, 2014.

Motion by Council Member Nelson to approve the Mayor's appointment of Shirley McDermott to the City-County Planning Board for a term ending June 30, 2014, 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. R13-78: Resolution relating to \$181,500 pooled Special Improvement District Bonds (Special Improvement District Nos. 115 and 116), Series 2013; Fixing the form and details and providing for the execution and delivery thereof and security therefor.**

Motion by Council Member Poehls to approve Resolution No. R13-78, 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. R13-79: A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 115 within the City of Laurel, Montana, for fiscal year 2013-2014.**

Motion by Council Member Poehls to approve Resolution No. R13-79, 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. R13-80: A resolution levying and assessing the cost of sidewalk improvements for Special Improvement District No. 116 within the City of Laurel, Montana, for fiscal year 2013-2014.**

Motion by Council Member Mace to approve Resolution No. R13-80, 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. R13-81: A resolution of the City Council authorizing the release of funds from the Tax Increment Financing District Fund for façade improvements for Aqua Systems of Montana, Alpha Omega Restoration, and the Laurel Revitalization League, Inc.**

Motion by Council Member Dickerson to approve Resolution No. R13-81, seconded by Council Member Mountsier.

Jon Rutt, 1231 First Avenue, stated that he is not an occupant of the city but he owns property in town. He wanted to applaud the support of the city council to the TIF District. He has purchased several old buildings in town and worked on trying to improve them. He also applauded Alpha Omega Restoration for the improvements they are doing to their building. He is not aware of the LRL improvements. Jon stated that his company has made an investment in Laurel and he thinks the TIF District is a great way for the community to work together to continue to improve the look of the town and the welcoming part of it. He again thanked the council for its support of the TIF District.

Mayor Olson stated that Jon was humble in saying they have purchase some property in Laurel and improved it. Mayor Olson applauded him in his efforts to make Laurel a first class city, as his

projects have been quite an improvement in the city. Mayor Olson again applauded him for his investment in the City of Laurel.

Council Member Dickerson explained that the Laurel Revitalization League's improvements include the awning and lighting over the mural in the Town Square.

A vote was taken on the motion to approve Resolution No. R13-81. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R13-82: A resolution of the City Council authorizing the Mayor to sign a contract with Castlerock Excavating for irrigation pipeline work at the Laurel Cemetery.**

Motion by Council Member Mountsier to approve Resolution No. R13-82, 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. R13-83: A resolution of the City Council approving properties to be included in the Sidewalk Replacement Program.**

Motion by Council Member Nelson to approve Resolution No. R13-83, 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.

Mayor Olson applauded the council and the staff for getting the sidewalk replacement program going. Staff has been working on this for two to three years and he thanked those that worked on it so diligently. The continuation of the project will be appreciated by those who will be served by the sidewalk program, which is an asset to the community.

Council Member Mace asked if it would be an annual program.

Mayor Olson agreed that it would be and asked Monica to speak regarding the scope of the program and the number of participants in the initial phase.

Monica explained that the *Outlook* published an article asking property owners in Laurel that were interested in participating in the project to send a letter to the city. The properties were put into an inventory and ranked based on safety concerns, proximity to schools, and a couple other criteria. About 30 property owners have inquired and wanted to participate in the program. Currently, the city plans to start with these five properties. Staff has received some actual bids for the project, but unfortunately, every contractor that submitted a bid is busy until next spring. Per the ordinance, the council must approve the sidewalk participants by the first Monday in October. By starting with five sidewalks, the funding will not be depleted for the sidewalks so five more could be done next year. By then, the assessments should be coming in and a revolving fund will be started for the program. Five sidewalks might not seem like much, but doing five this year and five next year would already complete ten of the thirty properties that were interested in the program. Keith Kolstad, the code enforcement officer, has taken the reins to get the cost estimates done. If anyone wants to enroll in the program, they should write a letter stating the address and asking to be a participant.

Council Member Dickerson asked if the city planned to do at least five each year.

Monica explained that the city would like to keep the program recurring on a regular schedule as a long-term program, and that should be possible with the funding available. She suggested that the ordinance requirement for council approval by a certain date could be considered to allow council approval at anytime throughout the year. The city will go out for bids for the project each year in order to make it a fair process to the contractors.

Council Member Mace commented on the sidewalk replacement program in the City of Billings. The program started in 1985 with 46 property owners and had 265 properties at a cost of \$554,000 this year. They send letters to property owners who have dangerous sidewalks and they have to hire their own contractor or get put it on the city's program. The program is self-generating and the money goes right back into the next year's projects.

Monica explained that, within the Residential Sidewalk Replacement Program, the City of Laurel can also issue letters to property owners with a dangerous sidewalk. The ordinance is written to

allow the city to put the homeowner on a 30-day notice. If they are unable or choose not to fix the sidewalk, the property would automatically be enrolled in the program.

Mayor Olson explained that MMIA has often stated that dangerous sidewalks are the number one exposure that a city faces. Getting this program implemented puts the City of Laurel in a high stead for comparison to other communities of our size.

- **Ordinance No. O13-02: An ordinance amending Chapter 15.70 of the Laurel Municipal Code entitled "Floodplain Regulations" to comply with the revised regulations issued by Montana's Department of Natural Resources and Conservation.** Second reading.

Motion by Council Member Stokes to adopt Ordinance No. O13-02, seconded by Council Member Nelson. There was no public comment or council discussion. A roll call 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 Poehls stated that the dog ordinance would be presented to the council on the October 29th council workshop agenda.

Council Member Mace mentioned the weed issues on some state controlled and private property and the possibility of grass fires.

Council Member Dickerson asked regarding the rabbits that made a home in the culvert on 13th and 5th Avenue and whether it can be jet rodded before winter.

Mayor Olson will find out and email the information to the council.

Council Member Mountsier asked for an update on the skate park.

Mayor Olson is trying to form a focus group of people who would be interested in meeting for a one-night session. He mentioned some county property east of Laurel that is approximately 12 to 14 acres. He would like the group to have representatives from the parks, a dog park individual, a skate park representative, Superintendent Tim Bronk, and a representative from the Laurel Jaycees.

Council Member Mace stated that the Park Board meets on Thursday, October 3rd, at 5:30 p.m. at the FAP building. The Park Board is going to take a bus trip to view the property. The Board also intends to look at Riverside Park before a lot of work is done on the berm.

Council Member Stokes stated that the skate park folks are waiting for the proposed meeting.

Mayor Olson will continue to work to identify a time when everybody can meet.

Council Member Nelson stated that the Cemetery Commission will not meet in October. A meeting will be scheduled in November or December for discussion regarding the staff's development of a five-year plan for projects that need to be done to accommodate future growth.

Council Member Stokes thanked Council Member Nelson, Mayor Olson and the staff for getting the water project going for the cemetery.

Mayor Olson spoke regarding the water project for the cemetery and expressed thanks to Council Member Nelson for his work. He mentioned that Chuck Rodgers has done an amazing amount of work on the different aspects of cemetery projects.

Council Member Nelson stated that Council Member Stokes is on the Cemetery Commission and has had a great impact. He stated that Chuck Rodgers has done a lot of work, especially in the aspects of the imaging of the graves in the paupers' section, getting some markers for the graves in

the paupers' section, and also getting markers for some of the known graves. Chuck has worked extremely hard and deserves to be recognized for the efforts that would probably still be in the infancy stage without him.

Mayor Olson stated that the city had the imagery done at the cemetery, and Chuck took it one step further on his own and has made "Unknown" markers for graves that are not known. Mayor Olson stated appreciation for Chuck's ongoing work for the Cemetery Commission.

Mayor Olson stated that Great West Engineering has scheduled the pre-construction meeting for the south bank restoration on Wednesday. The project should start on Thursday, Friday or Monday and continue through October or early November.

Mayor Olson mentioned the joint meeting with the County Commissioners tomorrow from 11:30 a.m. to 1:00 p.m. at the County Commissioners' office. Mayor Olson and Heidi Jensen will attend. Currently, the city has nothing on the agenda. The council members received the agenda via email.

Council Member Dickerson asked Mayor Olson to relay that evening meetings would be better, as most of the Laurel City Council members cannot attend joint meetings during the day.

Mayor Olson will relay that information at the meeting.

Mayor Olson mentioned that the city has been working to lease a parcel of land from the railroad for the bulk water station, as the council directed staff to go forward with this. A parcel of land is available and city staff is talking with the railroad regarding the dollar amount for the lease. Staff is also investigating the use of public lands, such as a parcel of a park, or an area for the facility. Information will be presented to the council as soon as it is available. Great West Engineering will submit a task order for the council to authorize expenditure for the preliminary water and design for the bulk water station.

Council Member Mace asked regarding the League of Cities and Towns meeting in Helena next week.

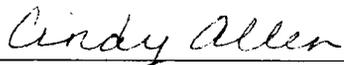
Mayor Olson stated that Council Member Mace, Heidi Jensen, Kurt Markegard and Sam Painter plan to attend the League of Cities and Towns Conference in Helena on October 9th, 10th and 11th. Any other council members that wish to attend should contact the clerk/treasurer.

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 six council members present voted aye. Motion carried 6-0.

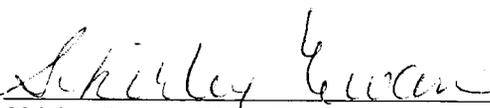
There being no further business to come before the council at this time, the meeting was adjourned at 7:20 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15th day of October, 2013.


Kenneth E. Olson, Jr., Mayor

Attest:


Shirley Ewan, Clerk/Treasurer