

**MINUTES
COUNCIL WORKSHOP
MARCH 10, 2015 6:30 P.M.
COUNCIL CHAMBERS**

A Council Workshop was held in the Council Chambers and called to order by Mayor Mark Mace at 6:30 p.m. on March 10, 2015.

COUNCIL MEMBERS PRESENT:

<input checked="" type="checkbox"/> Emelie Eaton	<input checked="" type="checkbox"/> Doug Poehls
<input checked="" type="checkbox"/> Bruce McGee	<input checked="" type="checkbox"/> Richard Herr
<input checked="" type="checkbox"/> Chuck Dickerson	<input type="checkbox"/> Scot Stokes
<input checked="" type="checkbox"/> Tom Nelson	<input checked="" type="checkbox"/> Bill Mountsier

OTHERS PRESENT:

Heidi Jensen, CAO
Monica Plecker, Planning Director
Rick Musson, Police Chief
Tim Reiter, Utilities Superintendent
Norm Stamper, Laurel Dodgers
Zada Stamper, Laurel Dodgers
Corey McIlvain, Laurel Little League
Several representatives of the Laurel Dodgers and Laurel Little League

Public Input (three-minute limit)

David Oberly, 1620 Denittis Lane, had three things to talk about. First, when he served on the City-County Planning Board a few years ago and they were talking about a tax increment finance district, the proposal came to the council about going on Colorado Avenue around the old middle school and back down the other side of the street to include that in case it needed to be enhanced. He stated that part of the building has been condemned and there is not money to repair it unless taxes are raised. David stated that the city could petition the County Commissioners to get it included in the tax increment district. He could speak more of that to anybody at any time if they want to call him.

Secondly, David stated that he has brain cancer and had to have the emergency squad transport him into Billings. When he had a seizure about two weeks ago, it took the ambulance 20 minutes to get to his house and another 25 minutes to get into the hospital. He contends that, with a growing population and the senior citizens, Laurel needs paramedics so they can give the appropriate injections to save a person's life.

David's third point was that there is no handicap access, no blue markers or ramps conducive for a wheelchair along Main Street and First. According to ADA, he contends that the street department should take that as a high priority. David provided his phone number and stated that he is available most any time and could return to another meeting and/or workshop. He thanked Mayor Mace and the council.

General items

- Appointment: Laurel Ambulance Service – Tyler Miller
The appointment will be on the March 17th council agenda.

Executive Review

- Discussion – Modification to Light District No. 2

Heidi asked that the discussion item be postponed until the next council workshop, as the clerk/treasurer was unable to attend tonight. The clerk has done most of the work on calculating the costs to expand the district to include Foundation Avenue and a portion of 4th Street that connects to Foundation.

- Resolution – Laurel Transit Coordination Plan and FY-16 Grant Application

Monica stated that it is time to submit the application to MDT to receive continued funding for the Laurel Transit Bus, which is the general public service bus that runs Monday through Friday. The Coordination Plan is similar to the plan approved last year, but it does have some updated information in it. Staff is still trying to get a second bus. The city previously had a Ford van that was outgrown while partnering with Residential Support Services to offer daily service to Billings. Laurel Transit needs to be able to provide that service because that is really where the demand is. Ridership is really steady on the in-town bus. Residential Support Services is still participating in the Transportation Advisory Committee meetings and is very committed to partnering with the city, but a bigger bus is needed. This year's application includes a request for a 17-passenger bus. There would be a local match requirement for that and money is allocated from the General Fund. Last year, \$5,000 was allocated and another \$5,000 was allocated this year. The Transit Fund currently has \$50,000-\$60,000 to use as matching resources. The city typically applies for \$60,000, which requires about a \$40,000 match, but the city never gets \$60,000 and never spends \$40,000. MDT has been reviewing the actual spending every year. Based on the last few years, MDT determined that Laurel can only apply for \$31,000 because that is the amount that has been used, which is half of what is usually allocated. MDT wants the awards to reflect actual needs as opposed to cities applying for the maximum and only using half of the award. This will not change the city's service at all. If the city gets a second bus, MDT says that their awards will happen about this time next year, so it will not affect this budget cycle. The city could apply for more funding next year if a bus is awarded in this application.

- Resolution – Amendment No. 3 to Task Order No. 26 for the water intake

Heidi explained that the amendment gets Great West Engineering to final design for the new water intake. FEMA allocated the project worksheet for the engineering to do the work on the intake and the amendment just matches that allocation. Now that the award from FEMA has been allocated to the city, the city can start drawing on it but must have an agreement that states the full amount. The amendment is for an additional cost of \$260,000.

- Resolution – Small Service Contract with Stevens Brothers Mechanical

Heidi mentioned the council's previous discussion regarding the pool. Since that discussion, Tim Reiter received a proposal from Stevens Brothers Mechanical for a new pump and the installation of a ladder for a total cost of \$8,726. Tim attended the meeting to answer any questions.

There was discussion regarding the ladder, which the city will purchase for about \$800 from one of three vendors.

Tim stated that there would be some additional electrical costs, as Stevens Brothers Mechanical does not do the electrical work.

- Resolution – CodeRED Next Services Agreement

Heidi stated that the CodeRED agreement is the Reverse 911 service that used to be called CityWatch. Police Chief Musson attended the meeting to answer questions.

Chief Musson explained that CodeRED purchased CityWatch, which was the original provider for Reverse 911. The agreement states that the “licensor is the owner of a service identified as “CodeRED Emergency Notification System”, which is designed to allow authorized licensed users (City of Laurel) to have access 24 hours a day, 7 days a week for the purpose of generating high-speed notifications to targeted groups via an Internet-hosted software application.” Chief Musson stated that, in simple terms, people can be notified of an issue or emergency via landline phone messages and cell phone text messages. The problem is that many cell phone users are not signing up for the program. The department can get the hard phone numbers from the phone companies, but cell phone users need to sign up. People can sign up via the City of Laurel’s website.

There was discussion regarding the need to educate the public and the suggestion to publish articles in the *Laurel Outlook* and in the city’s newsletter.

Chief Musson stated that the service costs \$4,950 a year. He asked the council to consider the agreement with CodeRED on the next council agenda.

- Resolution – Contract with Zuercher

Heidi asked Chief Musson to explain the software support system for the police department.

Chief Musson explained that the department has been looking at new programs for about two years. The current system was purchased in 1996 but it is time to move to a web-based system. In the early stage of the process, Chief Musson asked vendors to submit quotes for a software support system. Since the bids were over \$80,000, the formal bid process was required and two bids were received. Two bids were received, with one from Zuercher Technologies and one from Adjacent Technologies. The software system will allow the department to dispatch silently to a computer in the officers’ cars instead of using the radio or telephone. With this system, when a call comes on the screen to dispatch, it will come up in the officers’ cars so they can see what is happening. The process will be more streamlined and move things along. The program should take the department into the next twenty years, and the company keeps up with the changing times. The agreement is for \$99,057.00 and the program should be up and running in September or early October. Chief Musson will be the dedicated Project Manager for the agreement. The funds for the software program were budgeted for fiscal year 2014-2015 and will be paid for with Equitable Sharing Funds. The system will only be for the Laurel Police Department and will not be compatible with other surrounding systems, as they do not use the same dispatch center.

There was discussion regarding the need for additional computers for the police vehicles. The department currently has two Panasonic Toughbooks and Chief Musson plans to purchase three more computers. There was further discussion regarding purchasing new radios for the police vehicles and the current use of Verizon Air Cards versus using local Wi-Fi service for the police vehicles.

- Resolution – American Legion, Laurel Little League & Concession Stand Lease

Heidi stated that the lessees recently asked to be rolled into one lease, as there was a time when they requested one lease with the American Legion, one lease with the Little League and one lease for the concession stand. The applicants have asked to be in one lease but listed as separate lessees.

Heidi explained some language in the lease regarding listing both groups as lessees. The lease states that the Laurel Dodgers have exclusive use of their field and the concession stand at all times. The lease also states that the Little League just needs exclusive use over the fields during their practices and games. At other times, the Little League's fields in the parks will be open to the public. Several safety conditions were added to the lease, including removing food out of the concession stand at the end of the season, not allowing the use of extension cords, requiring a fire extinguisher and MSDS sheets, and food safety and handling requirements. The city's maintenance superintendent will inspect the property every year to make sure it is in good condition prior to the lessees taking over for the season. This will allow the city to take inventory of city property. The Laurel Dodgers and the Little League will be required to provide insurance to the city, as they are different groups and will use different fields. The lease agreement includes Exhibit A showing the Dodgers field, the accessory buildings and the concession stand and Exhibit B showing the Little League fields at Thomson Park and Nutting Park.

Heidi explained a separate listing of the breakdown of the city's costs for the American Legion, the Laurel Little League and the concession stand. The total cost is \$7,527.10 per year for the city to operate the fields. She stated that the council must decide the amount for the lease as the line was left blank in the lease agreement.

Norm Stamper, 523, Date Avenue, represented the Laurel Dodgers American Legion team. He stated that Little League representatives also attended and wanted to speak to the council, as they are a viable part of this. However, Norm only spoke for the Dodgers board, not the Little League.

Norm stated that the Dodgers board needs this lease and encouraged the council to approve it next week. Baseball season is here and they need exclusive use of their field. With the volunteer hours and the money that is raised to take care of the field, they cannot allow outside entities to use it. Since they are asking for exclusive use, they want the lease and ask the council to approve it. The Laurel Dodgers are in approval of the lease as written.

Regarding the blank for the cost, Norm asked the council to keep in mind that the Dodgers is a non-profit youth organization. The Laurel Dodgers typically has 16 players that pay \$150 each to play. The rest of the money used to operate come from fundraisers, donations and sponsorships by businesses. He stated that the majority of the players' families, the donors, the people that buy season passes, the fundraisers, and the business sponsors are city taxpayers that already pay taxes for the park. Norm questioned if the purpose of the lease is to protect the city from liabilities in property damage, to supplement the park funds, or to do both. The Laurel Dodgers would like to continue to pay the \$1.00 historical fee. He acknowledged that the staff worked hard to come up with the cost figures, but he could argue some of those costs. They cannot pay \$7,500 a year and do not feel they should have to, but the Dodgers are open to paying a fee. When the fee is determined, the Dodgers and Little League will have to work it out. Norm stated that, as much as they do not want to, the Dodgers will pay the fee since they are the ones asking for exclusive use. They would like to ask Little League to support them, but that is a discussion between the two organizations. Norm asked the council for their approval of the lease and their consideration and understanding with setting the fee.

Corey McIlvain, 903 Sixth Avenue, is the President of Laurel Little League. He explained that the Little League is a little bit different but is closely tied to the Dodgers, as it is their pool for players. Little League starts with 3 and 4-year-olds and works them up through the different ranks hoping to get them prepared to play at a higher level, which would be the American Legion. Little League does something similar on the softball side, hoping to get those players ready to play at the high school level.

Corey mentioned that several Little League board members attended this meeting. He explained that about 700 kids are served in the League. The league extends outside the city limits, but the vast majority live within the city limits. Corey had asked for the exclusive/non-exclusive language in the lease, as the Little League does not have or want 24-hour control over their fields. They do not want to prevent grandparents and/or parents from going to the field with their children. Graf School uses the fields at Thomson, and Little Guy Flag Football uses the facilities at Nutting Park. Little League is a non-profit organization that serves kids between the ages of 3 and 16. They do not turn any kids away because of finances. They have a registration fee, but find ways to “scholarship” kids that cannot pay the fee. Corey stated that the Dodgers are in a pinch and need to be on their field and Little League also needs to get on their fields soon. Little League would also like to see the historical \$1.00 lease fee maintained, as the intent of the contract was to reduce the city’s liability, provide some indemnification for protection for the city and provide options for the youth and an opportunity to get out and use the parks. Corey stated that Little League would like to keep their costs as low as possible to provide a valuable service to the youth of the city.

There was a question about how the leases would affect the 4th of July activities. The fields will be open for the usual uses on the 4th of July.

Heidi commented on a question that Council Member Mountsier asked at a previous council meeting regarding the amount the council can charge for the leases. Per the city attorney, the council needs to decide what to charge for each lease. Whatever the fee, the city would still be subsidizing the various programs. If the council chose to charge \$500/year for one lease and \$250/year for another lease, that is fine, but it is up to the council to decide which programs to subsidize and by how much. The council does not need to feel an obligation to charge organizations the same price across the board.

There was discussion regarding the need to consider the capability for each group to raise money, the service that each group provides to the community, and the five-year term for the lease agreements,

Douglas Frank, 812 Second Avenue, was born and raised in Laurel. He stated that the City of Laurel has for decades subsidized the baseball fields and he thinks that is an important consideration. Cities all across the nation make decisions every year about how much they are going to subsidize particular youth programs to “keep them out of trouble.” He cannot guarantee the effectiveness, but he thinks Laurel does a good job of providing an opportunity for kids and the city has historically been invested in that. In the past few years, the city has required Little League to pay all of the electrical expenses for the facilities and pays for electricity year round for areas that they use four months or less. He asked the council to give careful consideration to how much the organizations will have to pay.

- Resolution – Supporting Fixing the Primary Care Funding Cliff

Mayor Mace received a letter from Dr. Felton of RiverStone Health in Billings. RiverStone Health is the County’s health provider for many people, including those that cannot pay for health care. The legislature will likely pull some funding for such entities and Dr. Felton is worried about that. He

asked the council to support RiverStone Health in the endeavor to keep the funding going. A draft resolution was presented for the council to consider to show support for RiverStone Health.

Council Issues

- Update on 2011 Yellowstone River flooding event

Heidi stated that she and Mayor Mace have been working very hard to get an amendment into House Bill 5 and House Bill 6 for the 25 percent match from the State. It has been quite the political process to get Laurel's voice heard and the city has a sponsor for the amendment. House Bill 6 is being heard on Thursday morning at 8:30 a.m. Heidi, the League of Cities and Towns, the CHS Refinery, and the city's fire inspector will be there, and she has letters from the County Commissioners. The city is doing everything possible to make sure that the State gives Laurel the funding. Anna Miller (DNRC), Vince Ricci, and Kelly McCarthy are involved in this effort.

Mayor Mace thanked Heidi for her ongoing work to get the funding for the city.

- Lease Agreements
 - No Lease, No Use Policy (Bruce McGee)

Bruce stated that he is delighted to see a lease agreement generated. Although it is time-consuming and challenging, he thinks that the city at some point needs to have a policy that city facilities cannot be used until leases are finalized.

Corey McIlvain asked if that is currently a policy, as the Dodgers needing to be on the field on Monday.

Bruce answered that, to the best of his knowledge, the policy does not exist but he sees it as a possibility in the future. He did not know if there is any reason why the Dodgers cannot be on the field.

Corey questioned how the amount charged for the leases would progress, knowing that the city council meeting is next week and he is a representative of a board of directors and cannot act on anything without the board's approval.

Chuck stated that the lease agreements do not include a dollar amount for the leases and he asked when and how the figure would be determined.

Heidi stated that the council needed to determine the figure.

There was a lengthy discussion regarding the fees. The Laurel Dodgers had previously proposed a graduated scale of \$300 for the first two years, \$600 for the following year and \$900 for the last two years of the lease.

Dan Kennedy, 1519 McMullen Lane, gave some general comments regarding tonight's issues. He owns commercial property on Main Street and appreciated David Oberly's comments regarding accessibility. Dan's wife has donated a lot of time for Laurel Little League. He was directly affected by the flood, as he lives by the river. He did a term in the legislature representing House District 57 and understands how funding works. He stated that change is inevitable but choice is intentional. You never get what you expect, you only get what you really inspect. He appreciates the proactive approach some council members to get some numbers out because it is hard to play catchup. He is not

going to say that the weir that was put in the river several years washed out both of the boat ramps or that one of the boat ramps tore up the oil pipe. He stated that the river pushes south, everybody needs water and there are a lot of common sense people that understand this valley and how the water runs. He knows that engineers can tell a lot, but he encouraged everyone to ask the people that lost five to 40 acres of dirt because up the river everybody had good intentions to try to feed the water into a pipe that maybe was on the wrong side.

Chuck made the proposal to charge each entity \$750 a year, with \$250 for the concession stand and \$500 for the lease agreement.

Doug stated the proposal to charge each entity \$900 per year and the concession stand at least \$750 per year.

Norm Stamper, 523 Date Avenue, explained that all of the profits from the concession sales go directly to field maintenance for both the Dodgers and the Little League. Even though it is run as a group concession stand, there is really no profit.

There was discussion regarding the electricity costs, as the city pays \$1,200/year for electricity for the concession stand. The lessees pay for the lights for the field.

Mindy Gunther, 1600 Pheasant Brook Drive, provided some background information, as this is the sixth season she has been involved with Laurel Little League and the concession stand at Thomson Park. She explained that they pay two light bills at Thomson Park. One is the light bills for the big field, which can run \$900/month and they budget for May, June and July. In the off season, the bill for the big field is \$42/month. The second bill has an address of 120 East 8th Street, which is also at Thomson Park. Off season charges are \$30.46/month and it can go up to \$40 to \$60/month, depending on usage. They are not sure where the meter is located and a NorthWestern Energy employee is trying to figure that out. As far as the \$1,200/year, they only utilize the facility for three months out of the year. At the end of the 2014 season, the concession stand was in the negative of \$2,000, based off of income and expense because they put over \$7,000 from the concession stand back into the fields. They have enough to start up the next year and that is it.

There was a suggestion to have the clubs submit receipts for the money spent. Heidi stated that the proposed leases require the organizations to submit copies of receipts for any improvements to the city. Any large expenditures must be approved by the city prior to being done, but the lease will require copies of all receipts to be submitted at the end of the season.

Kirk Linse, 1202 Ridge Drive, has been involved with Little League and Dodgers Baseball and softball for fifteen years. He worked with Kurt Markegard for several years trying to come up with a lease plan. He spoke specifically about the concession stand, because Kirk and Kurt had previously discussed the power bills at the concession stand. One of the issues with the concession stand is that there are two main sections of the concession stand that operate and serve different purposes at different times of the year. There is the concession stand and there is the bathroom in the back. He understands that the bathroom and the concession stand are on one meter and there are heaters, hand dryers and lights in the bathrooms. In the past, Kurt told him that the city was not going to ask the groups to pay the power bill because it was too hard to determine what was used in the concession stand area and the bathrooms are open during the day all summer long. He wanted to make sure everyone is aware that part of the bill is not directly a benefit to the Little League and Dodgers.

Tom asked that the proposals be written down for the council's consideration.

Chuck stated his proposal to charge each entity \$500 and \$250 each for the concession stand.

Other items

There were none.

Review of draft council agenda for March 17, 2015

- Public Hearing and Second Reading:
 - Ordinance No. O15-01: An ordinance amending Title 17 of the Laurel Municipal Code to add Chapter 17.25 entitled Downtown Overlay District to the City's Zoning Regulations.

Attendance at the March 17, 2015 council meeting

Bruce will not attend next week.

Announcements

Chuck thanked the council for allowing him to be gone for several weeks.

Bruce asked if the proper protocol to bring up items for workshop agendas was at the end of council meetings or at the end of workshop meetings.

Mayor Mace stated that either meeting is fine.

Bruce stated that, at the last Park Board meeting, the Park Board worked on the leases and there was a question about groups taking ownership of buildings and property. The Park Board did not know if that could legitimately happen. Bruce asked Mayor Mace to put the discussion item on the next workshop agenda.

Emelie stated that the Public Works Committee recently received good information from the clerk/treasurer and public works director regarding funding improvements to city streets. She mentioned that the committee motioned to express approval for a plan that the public works department is working on to alleviate the odor from the Elm Lift Station. Construction would possibly start around July 1st.

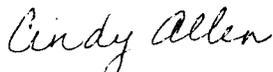
Recognition of Employees

- Jason Wells 17 years of service on March 18th Police Officer
- Christopher Erb 6 years of service on March 11th Library

Mayor Mace expressed appreciation for the service of the employees.

The council workshop adjourned at 7:55 p.m.

Respectfully submitted,



Cindy Allen
Council Secretary

NOTE: This meeting is open to the public. This meeting is for information and discussion of the Council for the listed workshop agenda items.