

**MINUTES
COUNCIL WORKSHOP
SEPTEMBER 29, 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 September 29, 2015.

COUNCIL MEMBERS PRESENT:

<u> </u> <u> </u> Emelie Eaton	<u> </u> <u> </u> Doug Poehls
<u> </u> <u> </u> Bruce McGee	<u> </u> <u> </u> Richard Herr
<u> </u> <u> </u> Chuck Dickerson	<u> </u> <u> </u> Scot Stokes
<u> </u> <u> </u> Tom Nelson	<u> </u> <u> </u> Bill Mountsier

OTHERS PRESENT:

Kurt Markegard, Public Works Director
Chad Hanson, Great West Engineering

Public Input:

There was no public input.

Executive Review

- Resolution – Amend Resolution No. R15-100

Kurt explained that the \$16.50/ton and \$180.00/roll-off fees were incorrect in Resolution No. R15-100. The city currently charges \$150.00 to haul and \$30.00 to set/rest a roll-off container, which equals \$180.00. It was incorrectly stated to be \$180.00 to haul the container. The city has not charged \$16.50/ton for about four years. He asked the council to consider the fee to be the “current City of Billings’ landfill rates” so that the fee is current. The city sets the Schedule of Fees every calendar year, but the City of Billings changes the solid waste rates on a fiscal year on July 1st. The fees affect businesses that have a 30 or 40-yard roll-off and the water clerk sends them a bill for the tonnage.

- Resolutions – Accept bids for roll off truck and dump truck

Kurt explained the two resolutions for a dump truck with a sanding and plow unit and a roll-off garbage truck. The city went out for bids on September 10th and 17th and closed the bids on September 24th. In 2007, the city purchased one of the last diesel engine roll-off trucks that did not require the additive before the 2007-2008 emissions kicked in. The roll-off truck has about 120,000 miles on it, so another truck is needed.

The low bid from Tri State Truck and Equipment for the roll-off truck came in at \$156,154.00. I State Truck Center also submitted a bid of \$162,176.50. Kurt mentioned that there is a five-year warranty on the transmission. After staff looked at the truck and reviewed the specs, Kurt recommended proceeding with the bid from Tri State Truck and Equipment.

The low bid from I State Truck Center for the dump truck with plow and sander came in at \$158,886.00. The last dump truck the city purchased was a 1996 Freightliner, and the new truck will also be a Freightliner.

Kurt explained that the Street Department will pay for the dump truck, sander and plow, and the Solid Waste Department will pay for the roll-off truck.

- Resolution – Accept bid for South Washington Avenue storm drain

Kurt was directed to follow the Gateway Plan, which stipulated the South Washington Avenue storm drain project in the first year. Great West Engineering prepared a cost estimate, which is included in this year's budget. Seven contractors submitted bids, including, Western Municipal Construction, Springline Construction, COP Construction, Montana Underground Construction, Dick Anderson Construction, Wilson Bros. Construction, and T&T Contracting, Inc. The engineer's estimate was \$259,556 and the low bid came in at \$228,769, which is approximately \$30,000 under the engineer's estimate. The property owners are excited that the project is going to move forward. After the storm drain is installed, the property owners would like to install their water and sewer services and have the street done through an SID.

Chuck asked regarding setting deadlines for contractors, such as was done for the underpass project.

Kurt explained that the engineers do an estimation for quantities, prices, materials and contract dates when they look at a project, so deadlines are built into contracts.

Chad Hanson explained that all contracts have a schedule with a deadline and so many contract days built in. The underpass project was significantly higher because of the accelerated importance of it. The project on Eighth Street had a schedule to get Eighth Street done in front of the high school. Additional days have been awarded for the project on Pennsylvania because of unforeseen things beyond the contractor's control.

Bill asked regarding what caused the delays on Pennsylvania that required additional days for the project.

Chad explained that there were soft spots where the equipment was sinking, so the contractor had to sub-ex down three feet and haul in pit run and build it back up. Their equipment was sinking because it was so soft and they could not get it dried out.

Bill asked if there was a problem with the cement contractor that was doing the sidewalks.

Chad answered that the contractor actually did a great job. The delays were caused by a storm drain or roof drain coming from the school that was filling water into the site, so they had six inches of standing water on what they were trying to dry out. They had to fix it and then dig out that soft spot just south of Ninth Street.

There was further discussion regarding the sandy soft spot, the contractor's deadline on East Eighth Street, the soft spot and curb in front of Graff School, and the concrete that the school paid for to provide long-term solution to the street in front of Graff School.

Emelie asked when construction would begin on the South Washington Avenue project.

Kurt explained that the project will begin this fall. A special in the specifications will allow using some millings over the trench if the project cannot be paved this fall. Because the property owners want to overlay the street soon after the project is done, it would give time to make sure the compaction holds in the trench. If paving has to be done next spring, it will be obvious where the weak spots are located.

The project is starting late because the city went out for bids for a small project in the middle of the summer but did not receive any bids. The city then went out for quotes, but still did not receive any quotes for striping Southeast 4th Street and some curb, gutter and ADA crosswalks. The contractors were all busy then but are now finishing their summer work and were able to submit bids for the project on South Washington.

Chad mentioned that the LURA Board had requested an accelerated schedule to see something done in year 1 of the Gateway Plan.

- Council Issues:

- MDT Letter of August 28, 2015 regarding Montana's Non-Metropolitan Local Official Participation Process (Bruce McGee/Mayor Mace)

Mayor Mace and Bruce will work on this.

- State Urban Route – West Railroad Street (Emelie Eaton)

Emelie explained that the Public Works Committee previously considered the need for the city to put an item on the State's Urban Route list. At that time, the Public Works Committee motioned and seconded to recommend putting West Railroad Street on the urban route list. After several months passed and nothing happened, Emelie inquired and was told that the CAO had chosen to try to do improvements where West Railroad Street joins First Avenue. Emelie stated that Laurel does not currently have a street listed on the urban route and she questioned if that is in Laurel's best interests and why this issue was allowed to fall through the cracks.

Kurt stated that he contacted the Department of Transportation and was told that a cost estimate was needed first. Last winter, Great West prepared a cost estimate for West Railroad Street according to the State Department of Transportation's template and using the prices they have been bidding on their projects. Great West submitted the cost estimate to the city in April. The total project came in at \$2,985,816.33, which is close to the city's current balance in the Urban Funds. The Urban Funds are tied to the Federal Highway Administration. The city could still borrow up to five years, so the annual allocation of \$200,000 would provide an additional \$1 million for the project.

In addition to the cost estimate, Kurt explained that a resolution of the council and a letter of commitment from the County Commissioners would be needed to move forward to have West Railroad Street be the next urban project for the City of Laurel.

There was further discussion regarding the urban route extending beyond the city limits, the fact that the Eighth Avenue project would have been scheduled in 2023 without the shovel ready projects from the Federal government, the need for Kurt to discuss the issue with the County Commissioners, the caveat of the intersection at First Avenue and how it would tie into the project, the possibility of roundabouts at Railroad Street/South First Avenue and at Main Street/South First Avenue (as stated in the Gateway Plan), the traffic issues in this area in the morning, at noon, and at 5:00 p.m., the annual

projects in the Gateway Plan, the Traffic Study that was completed recently, and issues with building roundabouts at the locations. In the Gateway Plan, the project in year 6 is installing curb, gutter and sidewalk along East Railroad Street. If both projects were to get done at the same time, Kurt stated that the planning needs to begin soon. Both East and West Railroad Streets are on the Urban Route and lead out into the County, so the County would probably have some concerns about it as they intersect with our city roads. He will get together with the County Commissioners to discuss it and get a letter from them, and then follow up with the Public Works Committee or go straight to council for a resolution, however the Mayor chooses to go forward.

Emelie asked if the city would need to wait longer to accumulate more funding if the intent is to tie the Gateway Plan to the State Urban Route improvement.

Kurt stated that the city currently has enough money to do a project like West Railroad Street. However, conversations are needed with the State on how to tie in First Avenue to take care of the problems. It is up to the State to determine how to make that intersection flow better. Kurt would like the project to go forward, but he cannot guarantee how fast the State will do it once the council approves a resolution and the Commissioners submit a letter of commitment.

- o Fire Association Reimbursement for City's costs for the 4th of July (Emelie Eaton)

Emelie explained that the Budget/Finance Committee discussed the issue of reimbursement for costs the city incurs during the 4th of July event. Before the committee asked the clerk/treasurer to research and provide the information, Emelie wanted to know whether the council wanted the information.

Chuck stated that the overtime being paid by the city for the guys to set and remove barricades and garbage cans is being passed on to the taxpayers, which he does not think is fair. The costs for overtime could be charged to the Fire Association, beginning in 2016.

Tom stated that it would be good to get the numbers broken down as to total city costs outside of normal day-to-day costs for Public Works and Emergency Services versus the costs associated with the 4th of July so the Budget/Finance Committee could discuss it and decide what to bring forward to the council.

Doug stated that he is not opposed to having the clerk/treasurer compile some facts and figures to present to the Budget/Finance Committee to see if it is worth bringing forward.

Emelie stated that, if there was no objection, she would go back to the Budget/Finance Committee and tell the clerk/treasurer to go forward with this.

Mayor asked if this was something the council wished to pursue.

Bruce stated that information is our friend. Regardless of what is done with the information, it would be very beneficial for the council to know exactly what is spent on different things.

Doug mentioned that the council knows that the pool is not profit making but still spends money on the pool every year. The council should know the costs for the 4th of July, even if the council decides to cover the costs for the city and the citizens.

Fran Schweigert, 402 Forrest Avenue, works for the City of Laurel. He asked if this would include the costs incurred by the Chamber's events and the Laurel Jaycees for the street dance and the pancake breakfast, and not just the Fire Association.

Kent Kulesa, Assistant Fire Chief and the Chairman of the 4th of July, asked why it suddenly came up to charge the Association for the 4th of July. He asked if any other organization is being charged, because it is not fair to charge the Association for all the 4th of July stuff when other events are held that day besides the fireworks. A lot of other people benefit from their fireworks, so why should they get charged for all the city stuff. They clean up their mess on July 5th. Kent asked what the city will charge. He is in charge of the budget and, if it is a large sum of money, he will have to weigh the give and take of being able to afford to put on the fireworks. He is not sure why it all the sudden became such an issue to charge just the Association.

Chuck stated that the Budget/Finance Committee would possibly look at the different entities involved to come up with an equitable solution so the Association is not bearing the burden of the costs for the 4th of July.

Mayor Mace will have the clerk gather the information needed, as some entities, such as the Chamber, already pay for costs.

Dan Achten, a member of the Fire Association and the Fire Department, asked the city to provide a breakdown of costs for each entity, not just one lump sum of costs.

Roy Voss, 1024 13th Avenue, works for the Public Works Department. He expressed his concern that the Fire Association was singled out for some reason. He has worked for the city for six years and the Fire Association is a small piece of everything the city does. He has always seen this as a city event, from the morning until the fireworks at night, not a fire department event. The city does not put on the event, but he sees it as a city event and thinks most people that come also see it as a city event. His concern is that the Fire Department is a small part of the expense. He stated that many 90-gallon cans are placed for the street dance, but there is usually a mess there and in the park. He suggested that the city should consider charging the Chamber and the Jaycees for having their events, because that's where the messes happen, not the firemen. His concern is that it appears that the city is targeting the fire department. To him, it is a city event and therefore a city problem.

Chuck stated that the Budget/Finance Committee would take into consideration the different entities involved, including the Chamber, the Jaycees and the Fire Association.

Mayor Mace will direct the clerk/treasurer to get the figures for the council, whether the issue goes anywhere or not.

- Update on 2011 Yellowstone River flooding event

Kurt explained that the water is going down and staff was recently out there tightening down the bolts on the old intake that was exposed. The city is in discussions with the Army Corps of Engineers and the permitting agencies.

Kurt spoke regarding the city's efforts to get a weir put in, the four instances last year where the intake was frozen, the two pumps the city has purchased to pump water if needed, the right-of-way

permit that the DNRC recently approved for the city, the ongoing land negotiations with two landowners, and the plan to move forward with construction next year.

- Lease Agreements

There was no discussion.

Other items

- Resolution – Amendment No. 2 to Task Order No. 29 with Great West Engineering

Kurt stated that Amendment No. 2 to Task Order No. 29 is needed to move forward with the PER and the TSEP Grant to replace the sedimentation basins and do some pressure modifications to the distribution system in Cherry Hills Subdivision.

Chad Hanson explained that, in spring of 2014, Great West updated the Water System PER and successfully applied for some grants. The main focus of the project is to replace the sedimentation basins at the Water Treatment Plant, the backwash storage tank, and to install new settling sedimentation ponds for the backwash, and to relocate the Cherry Hills Booster Station to expand that pressure zone. Kurt had asked Great West to hold off going into design and bidding until he could work out some things with the refinery because the city needed to acquire some land from them. This has been worked out now based on their traffic plan. Amendment No. 2 includes preliminary and final design through bidding of the project. Chad anticipates that the relocation of the Cherry Hills Booster Station would be done as a stand-alone project in the spring, and then the construction at the Water Treatment Plant would probably start in August next year in order to time it around low flows and to bypass the sed basins while building the new ones.

There was discussion regarding future water storage, the issues with water pressure in Cherry Hills Subdivision, the need to move the booster station whether or not water storage is built in pressure zone 2, and the right-of-way that the city acquired with the recent annexation of a house on the north side of West 12th and 8th Avenue.

- Update on the East 8th Street/Pennsylvania Avenue Project

Kurt stated that a 20-foot section of street on East 9th Street from Pennsylvania to the school property was inadvertently left out of the project on Pennsylvania Avenue. He does not want to leave a 20-foot section where the alley crosses behind the bus barn, as the city picks up garbage there. There are no approaches there and there is no curb and gutter leading from the high school parking lot. Cassie Riggins, the project manager for Great West, found out that the contractor will honor the contract prices for the curb, gutter, approaches and pavement. Kurt wanted to bring this to the council's attention at this time, and a reconciliation change order will be brought forward at the end of the project.

- Emergency Services Committee

Doug stated that the Emergency Services Committee would like the council to consider two items. First, the committee would like to delay any further changes to police, fire and ambulance issues until after the election so it is known what the citizens want from the safety mill levy.

Doug explained that Emergency Services Committee has been promoting the safety mill levy. The *Laurel Outlook* published an editorial written by Clete Knaub, the *Billings Gazette* did an article last

Saturday, and other editorials will be published in the *Outlook* between now and November 3rd. Doug thinks it would be beneficial to hold a question and answer session about the safety mill levy for the public after the council meeting on October 20th. Doug stated that the appropriate people would be asked to attend to answer the questions, including police, fire, ambulance and financial questions.

There was discussion.

Mayor Mace stated that he would like it to be a public meeting rather than a special council meeting.

Review of draft council agenda for October 6, 2015

There was no discussion.

Attendance at the October 6, 2015 council meeting

All council members will attend.

Announcements

The Park Board will meet on Thursday, October 1st, at 5:30 p.m. in the council chambers.

The Public Works Committee will meet on Monday, October 5th, at 5:30 p.m. in the council chambers.

Mayor Mace asked which council members plan to attend the League of Cities and Towns Conference in Bozeman next week. Council Members Nelson, Eaton and Herr will attend. Mayor Mace will also attend.

Recognition of Employees

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| • Mike Furman, Jr. | 6 years of service on September 17 th | Library |
| • Jeremiah Johnson | 4 years of service on September 21 st | Police Officer |

Mayor Mace recognized the employees for their years of service to the City of Laurel.

The council workshop adjourned at 7:45 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.