

MINUTES OF THE CITY COUNCIL OF LAUREL

March 1, 2016

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 Mark Mace at 6:30 p.m. on March 1, 2016.

COUNCIL MEMBERS PRESENT: Emelie Eaton Doug Poehls
 Bruce McGee Richard Herr
 Chuck Dickerson Scot Stokes
 Bill Mountsier

COUNCIL MEMBERS ABSENT: Tom Nelson

OTHER STAFF PRESENT: Keith Kolstad, Code Enforcement Officer
 Noel Eaton, City Planner

Mayor Mace led the Pledge of Allegiance to the American flag.

Mayor Mace asked the council to observe a moment of silence.

MINUTES:

Motion by Council Member Herr to approve the minutes of the regular meeting of February 16, 2016, as presented, seconded by Council Member Mountsier. 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.

- Public Notice to Water Users dated February 8, 2016, and published in *The Billings Times* on February 18, 2016.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

PUBLIC HEARING:

- **Ordinance No. O16-03: An ordinance amending Title 14 of the Laurel Municipal Code to adopt the International Swimming Pool and Spa Code, 2015 Edition.** (1st reading - 02/16/2016)

Mayor Mace stated that this is the time and place set for the public hearing on the City of Laurel's Ordinance No. O16-03.

Mayor Mace opened the public hearing and asked Staff to present the item prior to hearing the public comments.

Keith Kolstad presented the item. When he first presented the ordinance on February 16th, the city had received a notice from the State of Montana Department of Labor and Industry that all local governments that had certified building programs needed to adopt the 2015 Swimming Pool Code. Since then, several cities in the state have decided not to adopt it, with Sidney leading the way. On February 23rd, the Department informed the city that, if the city preferred not to adopt the code, the program status would still be certified and not be affected. The State Building Code Department would inspect any new swimming pools or spas. Any existing pools are grandfathered in. If a new municipal pool is built, a new hotel is built with a pool, or any spas are built, the State would inspect them. Household spas are required to have a label on them that they meet the code.

Keith explained that Sidney and several other smaller communities decided not to adopt the code because they would have to get training for their people and there was minimal impact for swimming pools and spas. Sidney had already built a number of motels that they had inspected before that, so it was not going to make any difference to them. Another concern was the cost of trying to get someone certified in this. For example, if Sidney or Laurel does not have many swimming pools being built, the city might not get the money back for several years that would be spent to certify that

person. Even though the State would charge, it might take the city two to three years to recoup the cost of having someone fly to the training and get certified.

Keith stated that cities around the have adopted the 2012 Fire, Residential and Building Codes, and those codes always reference the 2012 Edition of the Swimming Pool Code. There might be some confusion if cities adopt the 2015 Edition while still using the old 2012 codes. That is why the Montana Department of Labor gives cities the opportunity to decide whether or not to adopt the code. If the City of Laurel does not adopt the code, the State will do the inspections with no repercussions back to the department.

Mayor Mace opened the floor for public comment and stated that copies of the rules governing the public hearing have been posted in the council chambers.

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

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

Mayor Olson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of February 2016 in the amount of \$420,852.48.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 02/14/2016 totaling \$168,721.89.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Budget/Finance Committee minutes of February 16, 2016 were presented.
 - Laurel Urban Renewal Agency minutes of January 19, 2016 were presented.
 - Council Workshop minutes of February 23, 2016 were presented.

The mayor asked if there was any separation of consent items. There was none.

Motion by Council Member Eaton to approve the consent items 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

Building Official

Mayor Mace appointed Keith Kolstad as the Building Official for the City of Laurel.

Motion by Council Member Poehls to approve the Mayor's appointment of Keith Kolstad as the Building Official for the City of Laurel, seconded by Council Member Mountsier. 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.

- **Ordinance No. O16-03: An ordinance amending Title 14 of the Laurel Municipal Code to adopt the International Swimming Pool and Spa Code, 2015 Edition.**
Second reading.

OK

Motion by Council Member Eaton to adopt Ordinance No. O16-03, seconded by Council Member Poehls. There was no public comment.

Council Member McGee stated that he was in favor and thought it was a good move on the city's part, but now he is questioning whether it is in light of the new developments presented tonight. He does not know if the cost of adopting will be beneficial to the city.

Mayor Mace asked Keith to give an idea of which way cities are going on this, with Sidney leading the way.

Keith agreed that Sidney is leading the way. From his conversations with Julie at the Department of Labor, seven cities, including Cut Bank, Havre and other similar cities, are not passing the ordinance. He is not sure how many cities in the state have a certified building department. Keith knows that Missoula, Belgrade and Bozeman are actively pursuing the ordinance because of their growth patterns. He does not know what the City of Billings is doing, but some of the more major metropolitan areas that have growth are certainly going after it. Sidney is in a bust and boom situation, is still overloaded, and wants to back away from taking more of those responsibilities. The other small towns do not have that much going on and will continue what they are doing.

Mayor Mace asked if the 2012 codes would be sufficient if the council did not adopt the 2015 code.

Keith stated that is correct. The Swimming Pool and Spa Code is mentioned in the 2012 codes, so this is just leapfrogging ahead of the other codes to the 2015 Edition.

Mayor Mace asked Keith if another code would come through in the future.

Keith explained that, when the State requires cities to adopt the 2015 Codes in another year or so, it would bring the 2015 Edition of the Swimming Pool and Spa Code into effect at that time, along with the 2015 Edition of the Building, Residential, Fire, and Energy Codes. All of the codes would then be referenced for the same edition.

Council Member Mountsier asked Keith for his recommendation.

Keith explained that, considering the amount of time and expense it would take to have someone attend the classes, he thinks it would take two to three years to recoup the money. By that time, the city will adopt the 2015 or 2018 codes. If someone builds a new motel with a pool or the city builds a new swimming pool, it would be a one-time deal to inspect it. The council would need to determine the charge for the inspection. Right now it is a building inspection and the fee is based on the how much the pool would cost. He does not know if such a fee would pay for the expenses incurred to get someone certified.

Council Member Stokes asked how many swimming pools have been built in the past five years.

Keith said that, as far as he could determine, there were zero. The city pool, the pool at the Locomotive Fitness Center and the pool at the Best Western have been here for years.

Council Member Stokes questioned whether any citizens have put in private pools.

Keith answered that no pools have been built within the city limits. One or two pool might have been built in a development outside the city's jurisdiction.

A roll call vote was taken on the motion. Council Members Poehls, Herr, Stokes, Mountsier, Dickerson and McGee voted nay. Council Member Eaton voted aye. Motion failed 1-6.

- **Resolution No. R16-16: Resolution authorizing participation in the Board of Investments of the State of Montana Short Term Investment Pool (STIP) and authorizing the execution and delivery of documents related thereto.**

Motion by Council Member Mountsier to approve Resolution No. R16-16, seconded by Council Member McGee. 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.

DP

- **Resolution No. R16-17: Resolution authorizing participation in the Board of Investments of the State of Montana Short Term Investment Pool (STIP) and authorizing the execution and delivery of documents related thereto.**

Motion by Council Member Dickerson to approve Resolution No. R16-17, 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. R16-18: Resolution authorizing the Mayor to execute an agreement with Beartooth RC&D Economic Development District.**

Motion by Council Member Stokes to approve Resolution No. R16-18, seconded by Council Member Mountsier. 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. R16-19: A resolution of the City Council adopting the Laurel Transportation System Coordination Plan.**

Motion by Council Member McGee to approve Resolution No. R16-19, seconded by Council Member Eaton. 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. R16-20: A resolution approving Amendment No. 1 to the previously adopted Task Order No. 35, authorizing Great West Engineering to provide additional services relating to the Southeast 4th Street Improvements Project for the City of Laurel.**

Motion by Council Member Herr to approve Resolution No. R16-20, 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. R16-21: A resolution of the City Council authorizing the Mayor to sign a contract with Christison's Roofing for roof replacement at the city pool and fire and police building.**

Motion by Council Member Eaton to approve Resolution No. R16-21, seconded by Council Member McGee. 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Members Poehls and Herr will not attend next week's council workshop meeting.

Council Member Stokes mentioned the Park Board meeting on Thursday, March 3rd, at 5:30 p.m. in the council chambers.

Council Member McGee will be unable to attend the Park Board meeting.

Council Member Eaton mentioned the Public Works Committee meeting on Monday, March 7th, at 5:30 p.m. in the council chambers. She will send out an email announcement and request input from committee members.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member Poehls to adjourn the council meeting, seconded by Council Member Eaton. 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 6:53 p.m.

Cindy Allen
Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 15th day of March, 2016.

Mark A. Mace for
Mark A. Mace, Mayor

Attest:

Shirley Ewan
Shirley Ewan, Clerk/Treasurer