

# MINUTES OF THE CITY COUNCIL OF LAUREL

July 5, 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 July 5, 2016.

COUNCIL MEMBERS PRESENT:           Emelie Eaton           Doug Poehls  
  Bruce McGee (6:35)   Richard Herr  
  Chuck Dickerson  
  Tom Nelson           Bill Mountsier

COUNCIL MEMBERS ABSENT:   Scot Stokes

OTHER STAFF PRESENT:   None

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 Dickerson to approve the minutes of the regular meeting of June 21, 2016, as presented, seconded by Council Member Eaton. 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.

## COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

## PUBLIC HEARING.

## CONSENT ITEMS:

- **Claims for the month of June 2016 in the amount of \$889,596.43.**  
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 06/19/2016 totaling \$176,759.22.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
  - Budget/Finance Committee minutes of June 21, 2016 were presented.
  - Council Workshop minutes of June 28, 2016 were presented.
  - Laurel Urban Renewal Agency minutes of June 6, 2016 were presented.
  - Tree Board minutes of June 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 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:

*MAM*

Council Member Dickerson mentioned the Park Board meeting on Thursday, July 7<sup>th</sup>, at 5:30 p.m. in the council chambers.

**AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):** None.

**SCHEDULED MATTERS:**

- **Confirmation of Appointments.**

Laurel Fire Department

Mayor Mace appointed Dylan Briant, Jesse Moorman, Darren Kuck, Shane Willis, Joe Lowther and Shawn Klunder to the Laurel Fire Department.

Motion by Council Member Poehls to approve the Mayor's appointments to the Laurel Fire Department, 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. R16-48: Resolution relating to \$1,700,000 Water System Revenue Bond (DNRC Drinking Water State Revolving Loan Program), Series 2016; Authorizing the issuance and fixing the terms and conditions thereof.**

Motion by Council Member Mountsier to approve Resolution No. R16-48, seconded by Council Member Eaton. There was no public comment.

Council Member McGee stated that something needs to be said about this. He knows that forgiveness of this loan will be highly sought after from the legislature, but there is absolutely no leverage for that to take place. He stated the need to be aware tonight that the council is by necessity saddling the citizens and the council with additional debt for what is necessary for the community because of the failure of the government and legislature in the last legislative round. He wanted that on the record so it is understood that, if the city has to pay every penny of this back, what happened was really not the council's choice.

Council Member Nelson agreed with Council Member McGee's thoughts and comments. He stated that it is going to be quite a bit of money as far as servicing the debt that is going to come out of the city's pockets. He disagreed on one point, stating that he does not personally believe that it is necessary and does not see that this is the only choice. From his research, he thinks the Governor could have provided this money had he actually wanted to. Council Member Nelson stated that the emergency declaration is still open as far as the President's Declaration, which allowed FEMA to be involved and allowed the city to get FEMA to pay the bulk of this. He does not believe that the State of Montana has no recourse and does not think anything is closed on their behalf. He does not think they are interested in doing that because they have another option, which is this loan.

Council President Poehls stated his agreement with the two gentlemen. The city does not have any recourse other than he thinks the council needs to pass a resolution stating that the council is demanding of the State to reimburse the city for these funds. It would be on record that the council voted to recommend any means necessary to proceed to get those funds reimbursed. Having the discussion in the minutes would be a historical record. Passing a resolution to be sent to the Governor's Office stating that the city expects reimbursement for the loan, along with the other documentation that Council Member Nelson could provide, would show that the city supplied the government with everything needed to expect reimbursement. It is a bad situation for the citizens of Laurel to have to pay this debt, but at least the council would know that it supplied the government with everything they needed to take care of their citizens and the State has chosen to ignore it. Council Member Poehls recommended putting a resolution on the next workshop for discussion. He understands that resolutions are normally for something specific within the community, but he thinks a resolution carries the weight that the whole council voted on it and instructed the Mayor and the staff to continue the process of whatever the resolution says.

Council Member Dickerson stated his full agreement with what was previously said because it is important to let the residents of Laurel know that the council is not just signing off and spending money because it wants to. It is because the council does not have any other choice. If the loan is not reimbursed on the level the council is requesting, the voters and residents would know that it was

not due to the council not making every effort but that the upper level of government refuses to recognize Laurel's needs and what needs to be done for the City of Laurel with the reimbursement.

Council Member Herr stated his agreement with the other council members.

Mayor Mace reread the heading of Resolution No. R16-48. A vote was taken on the motion. Council Members Poehls, Mountsier, Eaton, McGee and Dickerson voted aye. Council Members Herr and Nelson voted nay.

Council Member Dickerson stated that he was looking at this completely different and would like to change his vote to a no also. Motion failed to carry 4-3.

- **Resolution No. R16-49: A resolution of the City Council authorizing the Mayor to sign a contract with the Montana Department of Transportation for the TransADE Program.**

Motion by Council Member McGee to approve Resolution No. R16-49, 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. R16-50: A resolution of the City Council authorizing the Mayor to sign a Memorandum Agreement with the Montana Department of Transportation for the TransADE Program.**

Motion by Council Member Herr to approve Resolution No. R16-50, seconded by Council Member Poehls. There was no public comment or council discussion. A vote was taken on the motion. All council members present voted aye. Motion carried 7-0.

- **Resolution No. R16-51: A resolution authorizing the Mayor to execute a contract for the City Prosecutor position between the City of Laurel and Elk River Law Office.**

Motion by Council Member Poehls to approve Resolution No. R16-51, seconded by Council Member Nelson. 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 President Poehls asked how Mayor Mace wanted to proceed with the resolution to send to the Governor's Office requesting reimbursement for the loan.

Mayor Mace stated that it should be on the next workshop.

Council Member Herr stated that he agreed with Council Member Poehls and would like to see that resolution.

Council Member Mountsier questioned whether or not Resolution No. R16-48 passed or failed.

Mayor Mace stated that the resolution passed.

Council Member Mountsier stated that he thought there had to be five votes for it to pass.

Council Member Nelson stated that five votes are required for ordinances.

Council Member Dickerson suggested that the council member in the same ward should fill in for a council member on the motion sequence if one member is absent from the meeting.

Mayor Mace stated that the suggestion should be discussed at the next council workshop.

Council Member Eaton stated that, due to several constituents contacting her, she would like a discussion regarding the raise for the CAO at the next council workshop. In particular, she would like the clerk/treasurer to answer some questions with regard to the reserves and how this may or may not affect them.

Council Member Eaton stated that it was brought to her attention that the City of Laurel does not have a noise ordinance. She asked Mayor Mace if he would like the Emergency Services Committee to discuss a noise ordinance or if it should be a discussion item at the next workshop.

Mayor Mace stated that he would like discussion at the next workshop. He would like to find out the history of previous discussions regarding a noise ordinance.

Council Member Eaton explained that someone had some construction next to their home, and when they called in a complaint saying that it was too noisy, they were told that there is no noise ordinance in the City of Laurel. Council Member Eaton can provide some materials that she has looked up.

Mayor Mace stated that would be helpful.

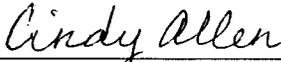
Council Member Eaton mentioned that a Public Works Committee meeting is scheduled next Monday, July 11<sup>th</sup>, at 5:30 p.m. in the council chambers. Agenda items need to be submitted before Thursday.

**UNSCHEDULED MATTERS:** None.

**ADJOURNMENT:**

Motion by Council Member Nelson 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.

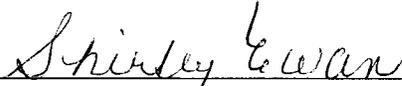
There being no further business to come before the council at this time, the meeting was adjourned at 6:51 p.m.

  
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Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 19<sup>th</sup> day of July, 2016.

  
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Mark A. Mace, Mayor

Attest:

  
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Shirley Ewan, Clerk/Treasurer