

MINUTES OF THE CITY COUNCIL OF LAUREL

August 2, 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 Council President Doug Poehls at 6:30 p.m. on August 2, 2016.

COUNCIL MEMBERS PRESENT: Bruce McGee Doug Poehls
 Chuck Dickerson Scot Stokes
 Tom Nelson

COUNCIL MEMBERS ABSENT: Emelie Eaton Richard Herr
 Bill Mountsier

OTHER STAFF PRESENT: None

Council President Poehls led the Pledge of Allegiance to the American flag.

Council President Poehls asked the council to observe a moment of silence.

MINUTES:

Motion by Council Member Stokes to approve the minutes of the regular meeting of July 19, 2016, as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

CORRESPONDENCE.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

PUBLIC HEARING.

CONSENT ITEMS:

- **Claims for the month of July 2016 in the amount of \$708,773.03.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 07/17/2016 totaling \$130,063.68.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Budget/Finance Committee minutes of July 19, 2016 were presented.
 - City-County Planning Board minutes of July 7, 2016 were presented.
 - Special City-County Planning Board minutes of July 7, 2016 were presented.
 - Public Works Committee minutes of July 11, 2016 were presented.
 - Council Workshop minutes of July 26, 2016 were presented.

Motion by Council Member Nelson to approve the consent items as presented, seconded by Council Member McGee. There was no public comment.

The council president asked if there was any separation of consent items.

Council Member Dickerson stated that there was no separation, but there is a change for item 7.b., Approval of Payroll Register for PPE 07/17/2016 totaling \$130,063.68. The figure should be \$182,275.55, as discussed and approved at the Budget/Finance Committee meeting.



There was no public comment or further council discussion.

A vote was taken on the motion to approve the consent agenda, with the correction of \$182,275.55 to the Payroll Register for PPE 07/17/2016. All five council members present voted aye. Motion carried 5-0.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Kathleen Gilluly, 411 Washington Avenue, represented the *Laurel Outlook*, and made the following statement:

“Members of the Council that are here, I have made three Freedom of Information Act requests addressed to the CAO, the Mayor, and all the Council members during this year, two of them recently. The first of those was brought to city hall June 22, 2016. It was a request for a true copy of the drawing or rendition created for the city by Jolene Rieck of Peaks to Plain Design. By not providing it, you are all in violation of Montana Public Records Act 2-6-101. The other recent request was brought to the city hall on June 30th. It was a request for the true minutes of the Council Workshop meeting of September 8th, 2015. By not providing those minutes, you are all in violation of the Montana Public Records Act 2-3-212. After talking to our Freedom of Information Act attorney, Mike Malloy, and carefully reviewing the law, we are confident that the City of Laurel must legally provide the requested documents. We hope that you will discuss this with the City attorney, as he can only come to the same conclusion that we have and hopefully he will advise you to comply. The *Laurel Outlook* and Yellowstone Communications do not wish to pursue this matter in court, so since we have not heard anything from anybody on this for quite some time, we will give the CAO, the Mayor and each City Council member another week to provide the documents before filing action in Yellowstone County District Court. We hope it doesn't come to that, but nobody has responded to any of our requests. Thank you.”

Council Member Dickerson asked that the item be placed on the next council workshop agenda for discussion.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**
- **Laurel Rod and Gun Club's request to hold a trap shooting event for the Locomotive Engineers Union on August 16, 2016 from 10:00 a.m. to 7:00 p.m.**

Motion by Council Member Dickerson to approve the Laurel Rod and gun Club's request to hold a trap shooting event, according to lease protocols, for the Locomotive Engineers Union on August 16, 2016, from 10:00 a.m. to 7:00 p.m., seconded by Council Member Nelson. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R16-66: A resolution modifying Light District No. 2 to add additional street lights on Foundation Avenue and to include the residents in annual Light District No. 2 assessments.**

Motion by Council Member McGee to approve Resolution No. R16-66, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R16-67: Resolution relating to Special Improvement District No. 114; Preliminary levy of special assessments for maintenance costs on property within the District for the purpose of paying the costs of maintaining certain local improvements.**

Motion by Council Member Nelson to approve Resolution No. R16-67, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R16-68: A resolution of the City Council authorizing the Mayor to execute an easement with Canyon Creek Ditch Company for a right-of-way ditch crossing for construction, installation, operation, and maintenance of parallel water pipelines and associated underground utilities.**

Motion by Council Member McGee to approve Resolution No. R16-68, seconded by Council Member Nelson. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

- **Resolution No. R16-69: A resolution of the City Council authorizing the Mayor to execute an easement with Clarks Fork Ditch Company for three right-of-way ditch crossings for construction, installation, operation and maintenance of parallel water pipelines and associated underground utilities through, over, and across the existing ditch and right of way.**

Motion by Council Member Dickerson to approve Resolution No. R16-69, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT):

Jean Kerr, 1128 Ninth Avenue, stated that Shakespeare in the Parks was in Laurel last night. The event was very well attended, it was a beautiful night and it was very successful.

COUNCIL DISCUSSION:

Council Member Nelson stated that the Cemetery Commission will meet on Tuesday, August 9th, at 5:00 p.m.

Council President Poehls stated that the City-County Planning Board meeting scheduled for Thursday, August 4th, has been cancelled.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

Motion by Council Member McGee to adjourn the council meeting, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All five council members present voted aye. Motion carried 5-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:44 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 16th day of August, 2016.

Mark A Mace
Mark A. Mace, Mayor

Attest:

Shirley Ewan
Shirley Ewan, Clerk/Treasurer