

MINUTES OF THE CITY COUNCIL OF LAUREL

November 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 November 1, 2016.

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

COUNCIL MEMBERS ABSENT: Scot Stokes

OTHER STAFF PRESENT: Kurt Markegard, Public Works Director

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 Mountsier to approve the minutes of the regular meeting of November 1, 2016, 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.

CORRESPONDENCE.

Montana Department of Revenue: Montana Domestic Brewery License, Transfer of Ownership, Le, LLC (Formerly: High Plains Brewing, LLC).

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

PUBLIC HEARING.

CONSENT ITEMS:

- **Claims for the month of October 2016 in the amount of \$1,323,682.57.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 10/23/2016 totaling \$178,729.41.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Emergency Services Committee minutes of September 26, 2016 were presented.
 - Park Board minutes of October 6, 2016 were presented.
 - City-County Planning Board minutes of October 6, 2016 were presented.
 - Public Works Committee minutes of October 17, 2016 were presented.
 - Budget/Finance Committee minutes of October 18, 2016 were presented.
 - Council Workshop minutes of October 25, 2016 were presented.
 - Laurel Library Board minutes of August 9, 2016 were presented.
 - Laurel Library Board minutes of September 20, 2016 were presented.

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--Laurel Urban Renewal Agency minutes of September 19, 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):

Steven Anderson, 17 Sixth Avenue, explained his concerns regarding a situation with an assistance animal, a pot-bellied pig that lives with him and his girlfriend. He distributed documentation of the need for the assistance animal. They are in a dilemma due to the fact that city ordinance does not allow swine in the city limits. With this special case, he asked for approval from the city council for them to have the assistance animal with proper documentation provided. Their property management company has requested a reasonable accommodation provided by the city in order to allow them to reside in the residence. Otherwise, the property management company is threatening eviction, which they do not want.

Mayor Mace stated that he would add it to next Tuesday's council workshop agenda for discussion.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**
- **Resolution No. R16-105: A resolution of the City Council authorizing and approving the City of Laurel's membership in the Montana Infrastructure Coalition.**

Motion by Council Member McGee to approve Resolution No. R16-105, seconded by Council Member Dickerson. There was no public comment.

Council Member Eaton stated that the resolution does not specify whether or not it is a voting membership.

Council Member Poehls explained that it is for a voting membership for \$5,000.

Council Member Nelson stated that he previously voiced his opinion that this would be a good thing for the city, but he thinks it would be the council's responsibility to follow up to evaluate if the city starts to see a return for the investment and should continue to be involved.

Council Member McGee stated that he is in favor of this resolution, as he hates the fact that the city has to lobby the legislators for needed things. He sees an opportunity to get in on the ground floor of this coalition. He agrees that the council needs to review it to see what return on investment the city is receiving for the citizens' money.

Council Member Dickerson asked why the voting membership at a cost of \$5,000 was not included in the resolution. He made the recommendation to amend the resolution to include that information.

Motion by Council Member McGee to amend Resolution No. R16-105 to include the voting membership at an initial cost of \$5,000, seconded by Council Member Dickerson. 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.

A vote was taken on the motion to approve Resolution No. R16-105, as amended. All seven council members present voted aye. Motion carried 7-0.

- **Resolution No. R16-106: A resolution approving Amendment No. 2 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 Poehls to approve Resolution No. R16-106, seconded by Council Member Dickerson. 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. R16-107: A resolution of the City Council of the City of Laurel, Montana, authorizing and committing matching funds as required for the City's participation in the Big Sky Economic Development Trust Fund Program.**

Motion by Council Member Nelson to approve Resolution No. R16-107, 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 Member McGee stated that it might be beneficial for the council to learn about landlord and service animals do's and don'ts. Fair Housing Laws on the Federal Government are very strict and HUD can be very particular about enforcing them. He suggested that the council might need a copy of the ordinance concerning pigs in the city.

Council Member Eaton stated that the Budget/Finance Committee discussed the October claims, which included payments to Great West Engineering in the total amount of \$95,000. The committee discussed the significant amount and decided to have the council hear an explanation for this cost at the next council workshop.

Council Member Eaton requested an update from the Public Works Director at the next council workshop regarding the septic receiving station. Some members of the council have received complaints with regard to accessibility and dumping time, etc. She asked for an update on how well it is going and the amount of money that has been brought in from the septic dumping station.

Council Member Eaton stated that the Public Works Committee meeting has been rescheduled from Monday, November 7th, to Monday, November 14th.

UNSCHEDULED MATTERS:

- **Resolution No. R16-108: A resolution of the City Council authorizing the Mayor to sign a contract with Curb Box Specialists, Inc. for EZ valve installation.**

Council Member Nelson stated a point of order. He stated that, per Laurel Municipal Code 2.10.050, code states that the council cannot vote on resolutions under unscheduled matters but can discuss items that will be on upcoming workshop. The agenda did not include this resolution for public notice and the item was not discussed at the council workshop.

Motion by Council Member Nelson to table Resolution No. R16-108 until the next workshop for discussion.

Mayor Mace asked the Public Works Director if the issue was time sensitive.

Public Works Director Kurt Markegard explained that water is currently running down First Avenue out of a valve. He received a quote last Wednesday but was busy dealing with the Water Treatment Plant project and did not get it on the agenda. He said that the item could wait two weeks, but there would be water running down the street for two more weeks. Staff originally had asked the council to install a valve on a 10-inch cast iron line that lined up with the valve that is currently there to isolate the valve to get the water shut off. At the time they dug, the valve was not leaking. They found out that the line they tapped was the wrong line. A contractor out of Big Timber was hired to locate the actual waterline, which is located about six feet further out into the street. It is an asbestos pipeline and there are no valves on it. If the valve were to rupture, it would be necessary to shut off the medical center and the high school, which is why staff is asking for approval of the resolution

and contract. He suggested that a special meeting could be held to provide 48 hours' notice to the public or a special meeting could be held prior to the next council workshop.

Mayor Mace asked if that would work for the council.

Council Member Mountsier stated that a motion had been made.

Council Member Poehls stated that there was no second to the motion.

Council Member Mountsier seconded the motion to table Resolution No. R16-108 until the next workshop for discussion. (No vote was taken on the motion.)

Council Member Eaton stated that she understands both the council's and the staff's stance on this. She agreed with Council Member Nelson on this matter, simply because she has witnessed staff members realizing as an afterthought that they needed council approval for expenditures or permission to do things. As a council member, she is tired of it, as the council members put in a lot of time and effort responding to the public. She would rather have a special council meeting prior to next week's workshop.

Mayor Mace asked the council if they felt the same, and there was no response. He stated that there were no unscheduled matters then.

Council Member Dickerson stated that he had an unscheduled matter.

Motion by Council Member Dickerson to have a special council meeting prior to the workshop on November 8th to vote on this resolution to get the curb box fixed. (There was no second or vote on the motion.)

Mayor Mace stated that a special meeting could be scheduled if the council wanted to do so.

Kurt spoke further regarding the issue and stated that there was no attempt to go around the council.

Mayor Mace asked the council if they wanted to have a special council meeting before the workshop.

There was a brief discussion. Mayor Mace stated that the special meeting would be scheduled on Tuesday, November 8th, at 6:30 p.m. prior to the regular council workshop.

ADJOURNMENT:

Motion by Council Member Herr 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 7:10 p.m.


Cindy Allen, Council Secretary

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


Mark A. Mace, Mayor

Attest:


Bethany Keeler, Clerk/Treasurer