

MINUTES OF THE CITY COUNCIL OF LAUREL

December 6, 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 December 6, 2016.

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

COUNCIL MEMBERS ABSENT: None

OTHER STAFF PRESENT: Tim Reiter, Utilities Superintendent
 Chad Hanson, Great West Engineering

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 Stokes to approve the minutes of the regular meeting of November 15, 2016, as presented, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CORRESPONDENCE.

MT Infrastructure Coalition: Meeting minutes of November 14, 2016.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

PUBLIC HEARING.

CONSENT ITEMS:

- **Claims for the month of November 2016 in the amount of \$1,738,826.83.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 11/20/2016 totaling \$180,973.41.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Emergency Services Committee minutes of October 24, 2016 were presented.
 - Budget/Finance Committee minutes of November 15, 2016 were presented.
 - Council Workshop minutes of November 29, 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 McGee. There was no public comment.

Council Member Dickerson asked regarding the Park Board minutes of December 1, 2016. The Park Board minutes will be listed on the December 20, 2016 agenda.

A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

CEREMONIAL CALENDAR: None.



REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

Irv Wilke read a letter sent to the council secretary regarding the Laurel Rod and Gun Club's request for trap shooting dates for 2017. The request will be on the December 13, 2016, council workshop agenda.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**
- **Resolution No. R16-111: Budget amendment resolution amending appropriations and reserves for employer contribution - Permissive Medical Levy Fund for Fiscal Year 2015-2016.**

Motion by Council Member Dickerson to approve Resolution No. R16-111, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R16-112: 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 Herr to approve Resolution No. R16-112, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R16-113: 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. R16-113, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R16-114: A resolution of the City Council accepting a donation of a sign from the Yellowstone Trail Association.**

Motion by Council Member Eaton to approve Resolution No. R16-114, seconded by Council Member Dickerson. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R16-115: A resolution of the City Council authorizing the Mayor to sign an agreement with the Montana Department of Transportation (MDT) for street sweeping.**

Motion by Council Member McGee to approve Resolution No. R16-115, seconded by Council Member Eaton. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

- **Resolution No. R16-116: A resolution authorizing the Mayor to sign Change Order No. 6 with Wilson Brothers Construction for the Water Treatment Plant Intake Project constituting an increase of \$8,965.80.**

Motion by Council Member Nelson to approve Resolution No. R16-116, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. Council Members Poehls, Herr, Stokes, Mountsier, Nelson, McGee and Eaton voted aye. Council Member Dickerson voted nay. Motion carried 7-1.

MAN

- **Resolution No. R16-117: A resolution authorizing the Mayor to sign Change Order No. 7 with Wilson Brothers Construction for the Water Treatment Plant Intake Project constituting an increase of \$76,549.70.**

Council Member Poehls stated that he would like to amend Resolution No. R16-117 and reduce it by the amount of \$957.96 for the restocking fee for the blowoff hydrant.

Motion by Council Member Poehls to approve Resolution No. R16-117 with the adjustment of \$957.96 for a total change order of \$75,591.75, seconded by Council Member Dickerson.

There was no public comment.

Council Member McGee stated that the change order has caused the council a great deal of consternation. He thinks it is petty to just subtract a restocking fee of a valve from this resolution. He wants the resolution to pass, but he thinks the council will actually waste taxpayer dollars by subtracting this because it will come back in some other form that the council will not be able to identify and will pay anyway. He appreciates the new clerk/treasurer's tenacity and that the council is trying to save the taxpayers every penny possible, but he thinks this borders on petty. He thinks it would be better to accept the resolution as it stands and approve the original amount.

Council Member Poehls agreed that it is petty, but stated that another issue is going to come out. He agreed that the council needs to move this forward so the project does not stop. Council Member Poehls asked for discussion at the next workshop concerning some issues with shallow well permits that were never obtained by the engineering firm, issues with exceeding the contingency fund for the project, paying engineering fees on issues that should have been foreseen, and at what point the engineering firm has to take some financial responsibility.

A vote was taken on the motion to approve Resolution No. R16-117, as amended. Council Members Poehls, Herr, Stokes, Mountsier and McGee voted aye. Council Members Nelson, Dickerson and Eaton voted nay. Motion carried 5-3.

- **Resolution No. R16-118: A resolution authorizing the Mayor to sign Change Order No. 8 with Wilson Brothers Construction for the Water Treatment Plant Intake Project constituting an increase of \$59,068.69.**

Motion by Council Member Dickerson to approve Resolution No. R16-118, seconded by Council Member McGee. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Member Poehls asked that Change Order No. 7, the shallow water wells and the payment schedule be placed on the next council workshop agenda for discussion.

Council Member Nelson recently attended a meeting in Billings that presented the funding challenges that local governments have in Yellowstone County in particular. Examples of the charters for the City of Billings and the City of Laurel were presented and discussed at the meeting. Under its charter, the City of Billings has tied its hands with the amount of mills it is allowed to levy for fire and police. The challenge is to try to figure out how to amend the charter. The City of Laurel has its own funding issues for the police and fire departments. Council Member Nelson would like to present some of the information at a future council workshop.

Mayor Mace mentioned that the Emergency Services Committee could deal with those issues, too.

Council Member Nelson spoke regarding current information and conversations concerning the intake issues and a letter that was sent to him and asked for discussion regarding the issues on the next council workshop agenda. He thinks it is time for the council to discuss whether or not to send a message to Helena, including the Governor, the Governor's administration, DES, the Office of Attorney General, and the Department of Military Affairs. He also has the contact information for every state senator and representative, as well as the US Senators and US Representative. Council

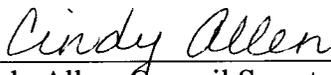
Member Nelson stated that the talk at the Capitol is that the City of Laurel is happy about the intake program, and there would be no angst whatsoever if Kelly McCarthy would quit aggravating everybody at the Capitol. Council Member Nelson suggested that it is time for the council to provide all of these individuals and agencies with Laurel's exact opinion as to how this project has gone and the city's expectations moving forward.

UNSCHEDULED MATTERS: None.

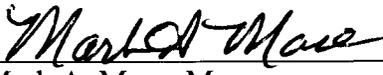
ADJOURNMENT:

Motion by Council Member Mounsier 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 eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:56 p.m.


Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 20th day of December, 2016.


Mark A. Mace, Mayor

Attest:


Bethany Keeler, Clerk/Treasurer