

MINUTES OF THE CITY COUNCIL OF LAUREL

April 4, 2017

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 April 4, 2017.

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

COUNCIL MEMBERS ABSENT: None

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 Mountsier to approve the minutes of the regular meeting of March 21, 2017, 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.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS.

PUBLIC HEARING.

CONSENT ITEMS:

- **Claims for the month of March 2017 in the amount of \$358,128.16.**
A complete listing of the claims and their amounts is on file in the Clerk-Treasurer's Office.
- **Approval of Payroll Register for PPE 144,499.69 totaling \$144,499.69.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Budget/Finance Committee minutes of March 21, 2017 were presented.
 - Council Workshop minutes of March 28, 2017 were presented.
 - Emergency Services Committee minutes of March 14, 2017 were presented.
 - Laurel Urban Renewal Agency minutes of February 27, 2017 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 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.

CEREMONIAL CALENDAR: None.

REPORTS OF BOARDS AND COMMISSIONS: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT):

PP

Irv Wilke, 1017 Seventh Avenue, stated that he will be the chief range officer for the State BB Gun Shoot for the fifth time this weekend. Nineteen teams will participate, and Council Member Mountsier, Irv and another gentleman will be running rough shot over 19 shooters at one time on the line. About a third of these youngsters will be future hunter's education students. If Riverside Park is not kept like it is with the buildings there to educate young people from Laurel, Elder Grove, Billings, Park City, and Joliet, they have no other place to do that without those facilities. He stated that it is extremely important to maintain them. He would be hard pressed to be doing hunter's education five or six years from now and have no place to teach the young people and have the Jaycee Hall to practice for the state tournament. He sees how well the kids have been trained when they come through the hunter's safety classes. Irv again stated the need to keep the buildings where they are so there is a place to teach the young people.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**

- City-County Planning Board: Gary Colley to fill a term ending June 30, 2018.

Mayor Mace appointed Gary Colley to the City-County Planning Board to fill a term ending June 30, 2018.

Motion by Council Member Poehls to approve the Mayor's appointment of Gary Colley to the City-County Planning Board to fill a term ending June 30, 2018, 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.

- Police Commission: Tony Krumheuer to fill a term ending December 31, 2018.

Mayor Mace appointed Tony Krumheuer to the Police Commission to fill a term ending December 31, 2018.

Motion by Council Member McGee to approve the Mayor's appointment of Tony Krumheuer to the Police Commission to fill a term ending December 31, 2018, 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council Member Stokes stated that the Park Board will meet on Thursday, April 6th, at 5:30 p.m. in the council chambers. The Park Board still needs a council member to serve on the board.

Council Member Nelson stated that the Cemetery Commission will meet on Tuesday, April 11th, at 5:00 p.m. in the council conference room.

Council Member Nelson spoke regarding the Senate Finance and Claims Committee's hearing on House Bill 586 last Friday. The House voted on the bill twice, passed it and sent it to the Senate. House Bill 586 has the appropriation of \$2.5 million to come from the appropriation of the \$16 million into the State's emergency fund. Once the money is transferred, \$2.5 million would come to the City of Laurel. Four Laurel representatives attended the committee hearing. Bethany Keeler attended to discuss finances, and Mayor Mace and Council Member Nelson attended. Fire Chief Peters also attended to discuss the safety issues with the water and the current situation with the 2003 intake and its continuous desire to cavitate in the low runoff without a weir in place. They were told to be brief, as the Senate Finance and Claims Committee preferred that. Council Member Nelson told the committee that Laurel's citizens already paid for this project once in their taxes. A portion of the taxes that went to Helena had to be appropriated for the emergency funding, and the State's 25 percent should come out of the emergency funding, but it did not. The State of Montana has never in its history not paid the 25 percent emergency funding match that FEMA Grant dollars require under a Presidential Declared Emergency. He let the committee know that the City of Laurel understands what infrastructure is. The city put in the 2003 water intake knowing that the river was migrating and something had to be done or Laurel would lose the ability to supply the city with

water. At that time, the city did everything to secure funding through raising water rates, grants, and by securing as much money as possible from the water fund and reserves. The city undertook the project and placed the 2003 intake where the engineers and the permitting agencies determined would be the best location for the intake. Council Member Nelson told the Senate Finance and Claims Committee that the City of Laurel is still paying on the 2003 intake today, and that is an infrastructure project. He told the committee that the administration claims this is an infrastructure project, but infrastructure projects do not have FEMA approved worksheets under a FEMA Disaster Relief Number stemming from a Presidential Declared Emergency in the State. That is not an infrastructure project, but it is a project under an emergency.

Council Member Nelson stated that the Governor's Chief Legal Counsel, Andy Huff, was the only opponent during the Senate Finance and Claims Committee hearing. Council Member Nelson is fairly confident that HB 586 will get out of committee and perhaps only have two readings in the Senate. It would go to the Governor from there. Representative Dennis Lenz, who sponsored HB 586, and Representative Ricci suggested that the city get people to write the Governor in support of HB 586 because of its importance to the community. As he mentioned to the committee, the City of Laurel not only had the 25 percent match withheld, the city also had to expend \$1.3 million of reserves that were earmarked for the sedimentation basin project and take out a \$1.7 million loan that has to be repaid. The loan could tie the city's hands and cause extreme grief before being able to recapture those funds and utilize them for the project for which they were earmarked.

Mayor Mace and Council Member Nelson met with Kathleen Gilluly at the *Laurel Outlook* to discuss how to get the information out to the people of Laurel. Kathleen plans to post some information on the *Outlook's* Facebook page, including snail mail and email addresses for the Governor and the legislators, a sample form letter to send, and links to leave comments regarding HB 586 for the Governor and the legislators. Council Member Nelson emailed a sample letter and the mailing and email addresses to the council.

Council Member McGee asked regarding the Chief Legal Counsel's resistance or opposition to this.

Council Member Nelson stated that no legal opinion was offered nor were any statutes stated that would support any reason why the State administration was unable to pay the 25 percent match. Council Member Nelson had told the Senate Finance and Claims Committee that it was the administration's position that this is an infrastructure project, and then he explained the difference to the committee. Andy Huff, the Governor's Chief Legal Counsel, again told the committee that the administration's position is that this is an infrastructure project.

Mayor Mace thanked Kathleen from the *Laurel Outlook* for getting the information out through the paper.

Kathleen Gilluly stated that the information will be on the *Outlook's* website and Facebook page. The publisher went to the intake site today and took pictures and met with some of the people working on the project. There will also be a column by Dennis Lenz, who sponsored the bill, in the paper on Thursday.

Council Member Dickerson thanked Council Member Nelson for his work. Council Member Dickerson will not attend the council workshop next week.

Council Member McGee spoke regarding the April Fool's letter that was distributed.

Council Member Eaton stated that there might be a Public Works Committee meeting on Monday, April 10th. The committee members will be notified soon.

UNSCHEDULED MATTERS: None.

ADJOURNMENT:

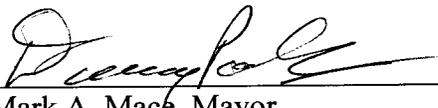
Motion by Council Member Herr to adjourn the council meeting, seconded by Council Member Mountsier. There was no public comment or council discussion. A vote was taken on the motion. All eight council members present voted aye. Motion carried 8-0.

There being no further business to come before the council at this time, the meeting was adjourned at 6:52 p.m.



Cindy Allen, Council Secretary

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 18th day of April, 2017.



for Mark A. Mace, Mayor

Attest:



Bethany Keeler, Clerk/Treasurer