

MINUTES OF THE CITY COUNCIL OF LAUREL

August 7, 2018

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 Tom Nelson at 6:33 p.m. on August 7, 2018.

COUNCIL MEMBERS PRESENT:	Emelie Eaton	Heidi Sparks
		Richard Herr
	Scot Stokes	Irv Wilke
	Richard Klose	
COUNCIL MEMBERS ABSENT:	Bill Mountsier	
	Bruce McGee	
OTHER STAFF PRESENT:	Kurt Markegard, Public Works Director	
	Forrest Sanderson, Interim Planner	
	Matthew Lurker, Chief Administrative Officer	

Mayor Nelson led the Pledge of Allegiance to the American flag. Mayor Nelson asked the council to observe a moment of silence.

MINUTES:

Motion by Council Member Sparks to approve the minutes of the regular meeting of July 17, 2018, 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: None.

COUNCIL DISCLOSURE OF EX PARTE COMMUNICATIONS: None.

PUBLIC HEARING.

- **Ordinance No. O18-01: An ordinance amending chapter 15.70 of the Laurel Municipal Code to update the City's Floodplain Regulations.**

Mayor Nelson stated this is the time and place set for the public hearing on the City of Laurel's Ordinance No. O18-01, an ordinance amending chapter 15.70 of the Laurel Municipal Code to update the City's Floodplain Regulations.

Mayor Nelson opened the public hearing and asked Staff to present the item prior to hearing the public comments.

Forrest Sanderson, the Interim Planner, presented the Floodplain Regulations.

The City of Laurel is under order from the State of Montana, through the Department of Natural Resources, to update its Floodplain Regulations. At the work session, the Interim Planner had given out a list of higher standards the Council could consider adopting. The City is approximately two years behind on its compliance. The Interim Planner contacted the State to inform them the City is working to correct this deficiency and bring the City into compliance with the program.

At last week's work session Council was given the draft minimum standards and a copy of the higher standards they could choose to include. However, upon further thought for the immediate future, the Council should adopt the minimum standard and come into compliance. The Council can request the Planning Board evaluate the higher standards and come forward with a recommendation.

The Interim Planner brought everyone's attention to panels 14.20 and 14.40. These are the maps of areas that would be affected by the Floodplain Regulations. This is not a significant portion of the City. However, it is the most valuable property in the City.

Mayor Nelson opened the floor for public comment and stated that copies of the rules governing the public hearing were posted in the council chambers.

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Mayor Nelson asked three times if there were any proponents. There were none.

Mayor Nelson asked three times if there were any opponents. There were none.

Mayor Nelson closed the public hearing.

CONSENT ITEMS:

- **Claims for the month of July 2018 in the amount of \$413,306.30.**
A complete listing of the claims and their amounts is on file in the Clerk/Treasurer's Office.
- **Approval of Payroll Register for PPE 7/15/2018 totaling \$186,144.28.**
- **Approval of Payroll Register for PPE 7/29/2018 totaling \$186,580.60.**
- **Receiving the Committee/Board/Commission Reports into the Record.**
 - Budget/Finance Committee minutes of July 17, 2018, were presented.
 - Laurel Airport Authority minutes of June 26, 2018, were presented.
 - Public Works Committee minutes of July 23, 2018, 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 Stokes. 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: None.

AUDIENCE PARTICIPATION (THREE-MINUTE LIMIT): None.

SCHEDULED MATTERS:

- **Confirmation of Appointments.**
 - Appoint Will Metz to Laurel Airport Authority for a five-year term ending June 30, 2023.

Motion by Council Member Herr to approve Will Metz to Laurel Airport Authority for a five-year term ending June 30, 2018, 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.

- Appoint Evan Bruce to the City/County Planning Board for a two-year term ending June 30, 2020.

Motion by Council Member Stokes to approve Evan Bruce to the City/County Planning Board for a two-year term ending June 30, 2020, seconded by Council Member Klose. 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.

- Appoint Evan Bruce to the Yellowstone Historic Preservation Board to fill the term ending December 31, 2019.

Motion by Council Member Wilke to approve Evan Bruce to the Yellowstone Historic Preservation Board, seconded by Council Member Sparks. 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.

- Appoint Matthew R. Lurker Sr., Chief Administrative Officer, to fill the term ending December 31, 2018, and subsequent five-year term ending December 31, 2023, on the Big Sky Economic Development Authority.

Motion by Council Member Klose to approve Matthew R. Lurker Sr. to fill the term ending December 31, 2018, and subsequent five-year term ending December 31, 2023, on the Big Sky Economic Development Authority, seconded by Council Member Herr. 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.

- **Ordinance No. O18-01: An ordinance amending chapter 15.70 of the Laurel Municipal Code to update the City's Floodplain Regulations.** First reading.

Motion by Council Member Eaton to adopt Ordinance No. O18-01, seconded by Council Member Klose. There was no public comment.

It was clarified that the motion is to adopt the minimum regulations.

It was questioned, if there are projects getting ready to start, will the change in regulations affect those projects. Examples of the work being done at the Water Treatment Plant and Riverside Park.

It was clarified that fully permitted projects would be grandfathered into the current regulations.

It was stated that due to the circumstances, this process had been rushed. Council agreed they would like the Planning Board to look at the higher standards and report back at a later time.

A roll call vote was taken on the motion. All six council members present voted aye. Motion carried 6-0.

- **Resolution No. R18-41: Resolution selecting Wharton Asphalt, LLC for the City of Laurel's 2018 Pavement Maintenance Project and to authorize the Mayor to sign a contract for completion of the project.**

Mayor Nelson requested Carl Jackson with KLJ address Council. Carl gave a brief overview of the events leading to this resolution. When KLJ was hired, the highest priority was to do a street maintenance project. The first project brought forward was E. 6th Street. The surveying for this project was delayed due to snow. The next project brought forward was a pavement maintenance project. They opened bids for the pavement maintenance project last Thursday. There was only one bid, KLJ checked the math on this bid and wrote a recommendation letter. Since then KLJ had a chance to talk with the contractor. The contractor could complete crack sealing this year but not chip sealing. The contractor requested to do the chip sealing this spring. The contractor was asked how this would affect the cost of the project. The contractor could not guarantee their prices. At this time KLJ does not recommend awarding the contract and rebidding the project in the spring.

Motion by Council Member Sparks to approve Resolution No. R18-41, seconded by Council Member Eaton. There was no public comment.

Mayor Nelson stated that he agrees with KLJ's recommendation to not award the contract. The Mayor stated that W. 4th Street and W. Railroad Street are going back out for bid.

It was stated the City would continue to fill minor potholes.

A vote was taken on the motion. All six council members present voted Nay. The motion failed 0-6.

- **Resolution No. R18-42: A resolution of the City Council authorizing the release of funds from the Tax Increment Financing District fund from the Technical Assistance Grant program to improve the property located at 201 East Main Street, Laurel, located within the Tax Increment Improvement District.**

Motion by Council Member Stokes to approve Resolution No. R18-42, seconded by Council Member Sparks. 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.

- **Resolution No. R18-43: A resolution approving the agreement between the City of Laurel and the Laurel Airport Authority, said agreement relating to fire protection.**

Motion by Council Member Herr to approve Resolution No. R18-43, seconded by Council Member Wilke. 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.

- **Motion to approve Council Member Mountsier to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Klose to approve Council Member Mountsier to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Sparks. 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.

- **Motion to approve Council Member Klose to be absent from the City of Laurel for more than ten days (LMC 2.12.060)**

Motion by Council Member Wilke to approve Council Member Klose to be absent from the City of Laurel for more than ten days (LMC 2.12.060), seconded by Council Member Sparks. 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.

ITEMS REMOVED FROM THE CONSENT AGENDA: None.

COMMUNITY ANNOUNCEMENTS (ONE-MINUTE LIMIT): None.

COUNCIL DISCUSSION:

Council requested a full financial report of the Laurel Urban Renewal Agency. The resolution presented to Council this evening was sloppy. It was made clear that Council does not want to see a resolution presented in this manner in the future.

Council Member Klose thanked Council for the opportunity to be absent so he can attend the American Legion national conference.

An email had been sent from one Council Member to most of Council. The Council Member who did not receive the email spoke regarding not receiving this email and spoke to misinformation in the email.

It was questioned why the City didn't consider using Riverside Park for the SED Basin project.

Mayor Nelson clarified that in the future when discussing Council Members, it is not appropriate to call them out by name.

MAYOR UPDATES:


The City will be interviewing Planners soon.

UNSCHEDULED MATTERS: None.


ADJOURNMENT:

Motion by Council Member Eaton to adjourn the council meeting, seconded by Council Member Sparks. 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.

There being no further business to come before the council at this time, the meeting was adjourned at 7:27 p.m.


Brittney Moorman, Administrative Assistant

Approved by the Mayor and passed by the City Council of the City of Laurel, Montana, this 21st day of August 2018.


Thomas C. Nelson, Mayor

Attest:

Bethany Langve, Clerk/Treasurer