

January 8, 2013

The Red Lodge City Council met in regular session on January 8, 2013 at 7:00 p.m. The meeting was called to order by Mayor Roat followed by the Pledge of Allegiance to the Flag.

OATH OF OFFICE – COUNCIL MEMBERS ELECT Mayor Roat gave the Oath of Office to Council Members William Larson, Ward Two and William Foisy, Ward Three. Council member elect in Ward One, Michael Schoenike was ill and unable to attend the meeting. He will be sworn in at a later time. The new Council members were well received.

Mayor Roat presented a plaque of appreciation to Alderman Richter for her four years of service to the City of Red Lodge seated at the Council table.

ROLL CALL OF OFFICERS Present: Mayor Roat, Aldermen Foisy, Mahan, Larson, Labrie, and Williams. Absent: Alderman Schoenike.

DEPARTMENT HEAD ATTENDANCE: Community Development Director – Forrest Sanderson, City Clerk – Debbie Tomicich and Ambulance Director – Aaron McDowell.

MINUTES OF NOVEMBER 27 Motion by Mahan, second by Labrie to approve the minutes of November 27 as submitted. On roll call vote all Aldermen voted “Aye.” Motion carried.

MINUTES OF DECEMBER 11 Motion by Mahan, second by Labrie to approve the minutes of December 11 as submitted. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Foisy asked if the following could be added to the motion made at the December 11 meeting regarding the letter that was written in support of Bike Walk Montana and would be submitted to Governor Elect Steve Bullock. Foisy wanted this explanation included “that the letter is concerning the commitment of the State for transportation alternative funds and for expanded support of bicycling and walking.” He said the minutes did not state what was included in the letter that was being sent. The Council agreed to have the letter itself included as an attachment .

CLAIMS AGAINST THE CITY Motion by Labrie, second by Williams that claims against the City totaling \$119,418, approved by the Auditing Committee, be paid and warrants drawn on their respective funds in payment. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Labrie said the claims this month were fairly standard and in fact a little lower than usual. A claim was submitted by Great West Engineering for \$4901.48 for the Broadway Water Rehab Project.

OFFICERS REPORTS The officer’s reports were presented to the Council for their review.

COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS None

SPECIAL COMMITTEES – Select Council President Alderman Mahan said the City is facing difficult financial times and she said she feels that Ed Williams has a tremendous background in all things financial.

Motion by Mahan, second by Labrie to nominate Ed Williams as Council President. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Council Committee Appointments/Board Assignments Following is the City Council assignments for 2013:

Public Works – Mahan, Chair – Schoenike – Foisy

Land Use and Planning – Schoenike, Chair – Labrie – Williams

Administration – Labrie, Chair – Williams – Larson

Emergency Services – Mahan, Chair – Larson - Foisy

Department Head Appointments – Mayor Roat said that Hope Freeman has filled the role of Prosecuting Attorney for the remainder of Kent Young’s term. She is now due for her own two year appointment. Mayor Roat asked for Council concurrence in the appointment of Hope Freeman as the City Prosecuting Attorney for the next two years.

Motion by Williams, second by Mahan to appoint Hope Freeman as the Prosecuting Attorney for a two year term. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Mayor Roat asked for Council concurrence in the appointment of Orval Boyer as the Public Works Director for the next year. On voice vote all Aldermen present voted “Aye.”

Mayor Roat asked for Council concurrence in the appointment of Richard Pringle as the Police Chief for the next year. On voice vote four in favor, one opposed (Larson).

Mayor Roat asked for Council concurrence in the appointment of Jodie Moore as the Librarian for the next year. On voice vote all Aldermen present voted “Aye.”

Mayor Roat asked for Council concurrence in the appointment of Forrest Sanderson as the Community Development Director for the next year. On voice vote all Aldermen present voted “Aye.”

Mayor Roat asked for Council concurrence in the appointment of Debbie Tomicich as City Clerk/Treasurer for the next year. On voice vote all Aldermen present voted “Aye.”

Mayor Roat asked for Council concurrence in the appointment of Aaron McDowell as the Ambulance Director for the next year. On voice vote all Aldermen present voted “Aye.”

McDowell is a City employee but is paid wages through the Ambulance District.

Mayor Roat said the volunteer firemen elect their own fire chief. He said this position is presently being held by Tom Kuntz. Mayor Roat stated that the City acknowledges that Kuntz holds this position and receives a stipend from the City for his administration of the City part of the fire department. This is a joint venture with the City and County.

Sanderson said that the Council member appointed to the Planning Board runs with the term of the individual. Currently this appointment is Alderman Schoenike. Schoenike is currently the President of the Planning Board and the re-appointed head of the City Land Use and Planning Committee.

Mayor Roat asked for Council concurrence in the appointment of Alderman Schoenike as the City representative on the Planning Board. On voice vote all Aldermen present voted "Aye."

STANDING COMMITTEES – ADMINISTRATION – Use of City Owned Land – Cruisin' Red Lodge – Airport Motion by Labrie, second by Williams to approve the application for use of City owned land for Cruisin' Red Lodge on July 28, 2013, from 8:00 a.m. to 1:00 p.m. at the airport. On roll call vote all Aldermen present voted "Aye." Motion carried.

The Council stated what a good event this one is and they are pleased that it will be held again this year.

Use of City Owned Land – Bone Daddy's – Camping at Airport Motion by Williams, second by Labrie to approve the application for the use of City owned land by Bone Daddy's for July 16 – July 21, 2013. On roll call vote all Aldermen present voted "Aye." Motion carried.

Nothing in the application has changed from previous years and discussion held with Tim Buckstead stated the importance of having enough help to make sure everything goes well.

Solid Waste Contract – Allied Waste Sanderson said the five year contract currently held with Allied Waste will be coming to a close June 30, 2013. The contract stated the possibility for a one year extension if needed. Sanderson said he does not feel it would be in the best interest of the City to utilize this extension. Allied Waste is in agreement with this and they look forward to going through the procurement exercise for the possibility of another contract with the City.

Sanderson said an RFP will be generated that spells out the service that the City expects within the Solid Waste District of the City. The proposals received would then be evaluated for compliance with our desired future conditions and then the City will negotiate a price for these services. This procedure will fall through the Administration Committee with the final contract going to the Council as a whole.

John Holst and Kirk Treece, representatives of Allied Waste, introduced themselves and told the Council that they have enjoyed the years working with Red Lodge and they hope to keep the

relationship going. They said they would like to make themselves available for any questions there may be.

POLICE AND EMERGENCY SERVICES – Resolution #3354 – Adopt Carbon County Pre-Disaster Mitigation Plan

Resolution # 3354

Resolution Adopting the Carbon County Pre-Disaster Mitigation Plan

Whereas, the City of Red Lodge, Montana, recognizes the threat that natural hazards pose to people and property within our county; and

Whereas, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

Whereas, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards;

Whereas, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments;

Whereas, an adopted Pre-Disaster Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

Whereas, the City of Red Lodge, Montana, fully participated in the FEMA-prescribed mitigation planning process to prepare this Pre-Disaster Mitigation Plan; and

Whereas, the Montana Office of Disaster and Emergency Services and the Federal Emergency Management Agency Region VIII officials have reviewed the Carbon County Pre-Disaster Mitigation Plan, and approved it contingent upon this official adoption of the participating governing body;

Whereas, the City of Red Lodge, Montana, desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the Carbon County Pre-Disaster Mitigation Plan; and

Whereas, adoption by the governing body for the City of Red Lodge, Montana, demonstrates the jurisdiction’s commitment to fulfilling the mitigation goals and objectives outlined in this Pre-Disaster Mitigation Plan;

Whereas, adoption of this legitimizes the plan and authorizes responsible agencies to carry out their responsibilities under the plan;

Now, therefore, be it resolved, that the City of Red Lodge, Montana adopts the Carbon County Pre-Disaster Mitigation Plan.

Mayor Roat said this plan has been compiled with great diligence and cooperation from all the communities involved. The disaster control people are happy this is in place and request that the City approve the plan as it has been created.

Motion by Williams, second by Mahan to adopt Resolution #3354, a resolution adopting the Carbon County Pre-Disaster Mitigation Plan. On roll call vote all Aldermen present voted "Aye." Motion carried.

Williams said this plan was discussed today at the Police and Emergency Services Committee meeting. They felt that the greatest disaster that would be faced by Red Lodge would be the failure of the Glacier Lake Dam. Williams said the Chief of Police has a plan in place if something like this were ever to occur.

Williams said the police department now has all new vehicles within the last couple of years. They are low in mileage and higher in value. Going forward, repair bills should be decreased with the trade-in value being much higher than it previously was. This all should help in keeping newer and better vehicles in the police fleet.

There are several items that will be discussed further in the future. One of these is parking tickets and how they will be handled so that the tickets get paid.

LAND USE AND PLANNING – Feeding of Wildlife Ordinance Sanderson said the Land Use and Planning Committee discussed this ordinance today. He said the verbiage in the existing ordinance needs to be clarified so the intent of the Council will be known. This will appear as a draft for consideration and discussion on the agenda scheduled for January 22.

Sanderson reminded the Council that the Planning Board meets January 9, 2013 in action session. They will be reviewing the design and conditional use permit for City Brew Coffee. The Planning Board has permit issue authority on the design review component and they will be forwarding to the Council a recommendation for action. The Council will be hearing the conditional use permit as action on the January 22 Council meeting. Following the action meeting the Planning Board will move into a work session for the update to the Growth Policy. The topic for this work session is Governmental Entities: Their issues, needs, wants, desires and concerns. MDT will be in attendance at this work session to talk about the impacts on Highway 212 and the rebuilds that will be occurring on the highway around town.

PUBLIC WORKS – InterCap Loan – Broadway Rehab Project and Approve Bid – Broadway Rehab Project Sanderson said the City has gone through the bidding exercise on the Broadway Rehab Project. Six bids were received with the apparent low bidder being Williams Civil from Bozeman. Their bid was substantially below the engineers estimate and

well within the project budget. Sanderson said that within twenty-four hours Williams Civil requested to withdraw their bid as they had made a substantial error in the preparation of the bid documents provided to the City resulting in a \$145,000 under estimate for the cost of the project. Under the bidding rules the City may not allow Williams Civil to modify the bid so all the Council can do is allow them to withdraw from the bidding on the project. This excludes Williams Civil from participation in this project if the decision is to go back and rebid. The City can move to the number two low bidder which is Wilson Bros. from Wyoming. Their bid is roughly a quarter of a million dollars more than the erroneous Williams Civil bid was. Sanderson said that all this means that the City is not ready to award the project this evening. Everyone has not been fully allowed to vet Wilson Bros. and make sure that references are checked. The City also needs to borrow more funds from Inter Cap if the whole project is going to be done at this time. The total needed to be borrowed is \$616,243 which includes the contingency fund. The contingency amount is \$200,000 so if everything were to go well with no change orders the total amount borrowed would be \$416, 243 which translates to a \$45,000 annual payment. Sanderson said that if all the \$616,243 were to be borrowed and used the annual payment would be \$67,000. This would be a ten year loan with a 1.25% interest fee. The other option would be to award Schedules 1, 2 and 3 and borrow substantially less money. The payment would be on the order of \$33,000 annually. The committee's discussion was to do the whole project at this time. Sanderson asked the Council to think about what they would like to do regarding this project.

Sanderson asked the Council for their approval to start the needed paperwork for the InterCap loan increase and to authorize the Mayor to release Williams Civil.

Motion by Mahan, second by Williams to accept the withdrawal of the bid submitted by Williams Civil. On roll call vote all Aldermen present voted "Aye." Motion carried.

Motion by Mahan, second by Larson to authorize the staff team to go forward with looking at additional loan monies (\$616,243) from InterCap and present at the next opportunity on what to do with the project. On roll call vote all Aldermen present voted "Aye." Motion carried.

Williams commented that the committee discussed that the annual payment would most likely have to come from the Resort Tax funds. This will need to be discussed further when things progress.

LED Lights Williams would like the Public Works Committee to look at lighting in Red Lodge. Approximately \$50,000 is spent a year on lighting with about \$20,000 of this lighting Broadway. Broadway needs to be lit but Williams would like the committee to determine what the community wants to do and what the City can do. The budget is tight so this is a financial issue. He said that at Country Club Estates they enjoy the dark skies. Mayor Roat said that

safety needs to be considered when it comes to the lighting of Red Lodge. Foisy said that as a member of the Public Works Committee he would like to look at this issue.

CITIZEN REPORT Betty Ansoerge thanked Mahan for the work she has done on the proposed flyover. Mahan thanked Ansoerge for bringing this idea to the Council so it could go forward. Sanderson said the VFW has been given final clearance from FAA. He said there are more questions that need to be addressed and this will be done. He said that at some point the VFW will formally come to the Council asking for dedication of a space in Pride Park to use for military recruiters during the time of the flyover which is July 4, 2013.

CORRESPONDENCE Sanderson said there are 107 vacant lots still for sale within our listing area. No sales have been made during the reporting period.

Mayor Roat said he attended a meeting regarding the consolidation of dispatch services. The County Commissioners sponsored this meeting as they are working toward seeing if everyone is interested in consolidated dispatching of fire, ambulance and law officers. This would be for areas including Laurel, Columbus, Red Lodge and all of Carbon County. It is possible that the dispatch center would be housed in Laurel. What this group would like by the first of March is any indication if the communities would be interested in pursuing this idea. Mayor Roat asked the Council to think about this and what the benefits or drawbacks would be. Fosiya asked if there has been any feedback from the police and fire on this topic. Mayor Roat said there has been none at this point but that the discussions have just begun. Roat said the Council committee could discuss this issue with police and fire.

MISCELLANEOUS None

Meeting adjourned at 8:05 p.m.

Mayor

ATTEST:

City Clerk