

July 23, 2013

The Red Lodge City Council met in regular session on July 23, 2013 at 7:00 p.m. The meeting was called to order by Mayor Roat followed by the Pledge of Allegiance to the Flag.

ROLL CALL OF OFFICERS Present: Mayor Roat, Aldermen Foisy, Mahan, Larson, Labrie, Schoenike and Williams. Absent: None.

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

MINUTES OF JUNE 25 Motion by Schoenike, second by Labrie to approve the minutes of June 25 as submitted. On roll call vote all Aldermen present voted “Aye.” Motion carried.

MINUTES OF JULY 9 Motion by Schoenike, second by Williams to approve the minutes of July 9 as submitted. On roll call vote all Aldermen present voted “Aye”. Motion carried.

COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS None

SPECIAL COMMITTEES None

ADMINISTRATION-Ordinance #901-Cemetery Trust Fund Modification-1st Reading/Public Hearing

Ordinance #901

AN ORDINANCE AMENDING TITLE 8, CHAPTER 3 OF THE RED LODGE CITY CODE CONCERNING CEMETERIES.

Mayor Roat opened the public hearing and no one spoke to this topic so the public hearing was closed. Mayor Roat said this ordinance would allow the City to use a trust fund that has been built for the cemetery under the arrangement of perpetual care where only the interest could be used. The trust fund is not pertinent any longer and the funds are necessary for work that sorely needs to be done.

Motion by Williams, second by Schoenike to table this ordinance until it can be reviewed and studied further. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Williams said the ordinance does not identify the mausoleum as being one the areas that funds can be used for and this happens to be one of the main areas most in need of work. He said the

ordinance also speaks of a cemetery committee but there are no definitions on how the committee would work.

Use of City Owned Land – Fun Run Motion by Larson, second by Schoenike to approve the use of City owned land for the Fun Run on August 31, 2013. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Larson said this is the 10th annual Fun Run. Tracy Timmins told the Council that the Fun Run is a very important event as it has brought in \$1.2 million dollars for various non-profits in the nine years it has been held. She said the event will most likely need to be moved to Field School Park next year due to the construction that will most likely be going on. Mayor Roat said the City will see what can be done to help keep the roads cleared as much as possible for this event next year.

Use of City Owned Land – Beartooth Blitz Bike Race Motion by Labrie, second by Williams to approve the use of City owned land for the Beartooth Blitz Bike Race on Saturday August 10, 2013. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Labrie said this is a new event and that she hopes everything goes well for the race. Williams said the committee spoke to Paul Otsu about the race to get answers regarding the impact on the golf course, parking, traffic control and basically how everything will be handled. The committee feels everything is being taken care of.

POLICE AND EMERGENCY SERVICES – Ordinance No. 900 – Amended Parking Regulations – 2nd Reading/Public Hearing Mayor Roat opened the public hearing but no one spoke to the issue so he closed the public hearing.

ORDINANCE NO. 900

AN ORDINANCE GENERALLY AMENDING RED LODGE ORDINANCE NO. 6-1-9 ENTITLED “PENALTY” OF THE MUNICIPAL CODE OF THE CITY OF RED LODGE SO AS TO PROVIDE ENFORCEMENT PROCEDURES FOR PARKING VIOLATIONS.

Motion by Foisy, second by Labrie to approve Ordinance No. 900, an ordinance generally amending Red Lodge Ordinance No. 6-1-9 entitled “Penalty” of the Municipal Code of the City of Red Lodge so as to provide enforcement procedures for parking violations on second reading. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Foisy said that at the last meeting there were a couple of minor changes made in the ordinance and they were discussed with Hope Freeman the City Attorney to make sure she was in agreement with these changes. She said everything was fine and enforceable.

Resolution No. 3358 – Fees and Fines – Parking Violations

RESOLUTION NO. 3358

A RESOLUTION OF THE RED LODGE CITY COUNCIL TO SET PENALTIES FOR PARKING VIOLATIONS IDENTIFIED IN ORDINANCE NO. 6-1-9, AMENDED, ENTITLED “PENALTY” OF THE MUNICIPAL CODE OF THE CITY OF RED LODGE SO AS TO PROVIDE ENFORCEMENT PROCEDURES FOR PARKING VIOLATIONS.

WHEREAS, Red Lodge Ordinance No. 6-1-9, Amended, provides enforcement procedures for parking violations, **AND**

WHEREAS, this Resolution sets the penalties for parking violations,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Red Lodge Montana that the following penalties shall apply to Title 6-1-9 of the Red Lodge Municipal Code:

Penalties for Parking Violations

Parallel parking only/no angle parking	\$20.00
Parking over 72 hours	\$20.00
Parking over two hours in specified area	\$20.00
Parked wrong direction	\$20.00
Blocking an alley	\$50.00
Parked in a no parking zone/yellow zone	\$20.00
Parked too close to the intersection	\$20.00
Parked in the crosswalk	\$50.00
Blocking a fire hydrant	\$50.00
Parked in a handicapped zone	\$100.00

Motion by Foisy, second by Mahan to approve Resolution No. 3358, a resolution of the Red Lodge City Council to set penalties for parking violations identified in Ordinance No. 6-1-9, amended, entitled “penalty” of the municipal code of the City of Red Lodge so as to provide enforcement procedures for parking violations. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Foisy reminded all that the penalty for blocking an alley was modified from \$20 to \$50.

Dispatch Agreement with Carbon County – FY 13-14 Mayor Roat said this agreement with the County has nothing to do with the joint dispatch effort with Laurel but is the agreement for the fees associated with the County dispatching for the City.

Motion by Mahan, second by Larson to approve the dispatch agreement with Carbon County for FY 13-14. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Mayor Roat said the basic difference is in the cost which increased from \$7,711 to \$14,124.

Speed Trailer Study Foisy said that Chief Pringle has been doing quite a few studies with the speed trailer. These studies have given good information and the Chief feels the speed trailer helps in slowing down traffic as a calming device. He would like to get at least one more trailer and will be looking to see if he can find any grants to help accomplish this.

Mayor Roat said the Beartooth Rally appeared to be a good weekend. There were no serious tickets written but mostly traffic violations. The Elks Club made their facility available for feeding the officers that were on duty with Sam’s Club providing the food, and the work that was done by Ed & Sharon Williams, Bill & Diane Larson, Wally & Diane Zook, Glory Mahan, Norma Beug and Teri McCallum. Everyone was thanked for the helping hand they gave to help feed the police officers and make them comfortable.

LAND USE AND PLANNING – Growth Policy Sanderson said the Planning Board held the public hearing regarding the Growth Policy as required by law on July 10, 2013. He said the Planning Board in it’s entirety was in attendance with twelve people from the public also in attendance. He said there were a lot of written comments received for the Planning Board to consider. The Planning Board, after the hearing and discussion, did pass a motion to adopt the staff report on the Growth Policy as their findings of fact with the motion passing. Sanderson said there are a number of items that still need to be worked on. Sanderson said some of these items are: 1) how to deal with the Community Economic Development Strategy, 2) source water protection, 3) how Red Lodge can be a more drought ready community and to encourage the County to do the same, 4) discussion on open space and water shed conservation, 5) discussion on the water supply; and 6) the casino issue primarily in the entrance zones. The

Planning Board is scheduled to meet tomorrow, July 24, 2013. If a recommendation can be agreed upon by the Board the Council will get a presentation at their next meeting on August 13, 2013. Sanderson said there are still some big ticket items being worked on by the Board.

PUBLIC WORKS – Parks Board Appointment Mayor Roat asked the Council for their confirmation on his appointment of Rue Freeman to the Parks Board.

Motion by Mahan, second by Foisy to confirm the Mayors appointment of Rue Freeman to the Parks Board. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Extinguish Drainage Easement – Tract A COS 1191 – Thomas Early Acres
Motion by Mahan, second by Williams to approve the extinguish drainage easement Tract A COS 1191 Thomas Early Acres. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Mayor Roat said he does not feel any court would say this drainage easement is a legal document. He said there is no need for a drainage easement on this piece of property but that a utility easement is needed and the City has one along the property line.

Broadway Water Rehab Project Sanderson said the project is still looking to be on budget and is scheduled to be completed, hopefully, by August 15 or 16, 2013. The Wednesday morning meeting is scheduled for tomorrow, July 24 at 10:00 a.m. Sanderson said he believes there will be discussion with the concerns on the detour signs.

Skateboard Park Mayor Roat said that a child has been hurt on his leg at the Skateboard Park so it has been closed as of today. There are several people, along with the children that use the park, to get the repairs made so the park can be reopened. The City will help with getting the park opened as soon as possible.

Recycling Center Mahan said the Public Works Committee had a good discussion with Ed Lambrecht regarding the heat in the recycling building. She said something needs to be done with the building with the heat in the summer and the cold in the winter. An exhaust fan was requested by Beartooth Industries but the Mayor said this will not help with the heat problem as it is radiant heat. He said that repainting the building to a lighter color may help as a dark color absorbs the heat. More discussion will be held with Lambrecht to see what can be done.

Swimming Pool Tracy Timmins of the Red Lodge Area Community Foundation was in attendance to discuss the next steps in moving forward with the idea of endowments to pay for the pool in terms of operating expenses and also with long term solutions for a new pool. Schoenike said their next step is to meet with the potential stakeholders to see what can be done. This meeting has not yet been set but will be soon and Schoenike said he would keep the

Council informed.

CITIZEN REPORT Betty Ansorge asked if the City was in drought conditions and she was told no. She thanked Wilson Brothers for the dust abatement they have been doing on the Broadway project.

Mahan presented Ansorge with a lovely award in thanks for her idea to have the flyover on July 4th. This token of appreciation was given by the Parade Committee. The flyover this year was not a military one but was done very well by locals Wally Zook and Beau Ewald.

CORRESPONDENCE None

MISCELLANEOUS Schoenike asked when the next budget meeting would be held and Williams told him it would be when the mill levy information is received by the City.

Meeting adjourned at 8:00 p.m.

Mayor

ATTEST:

City Clerk