

April 12, 2011

The Red Lodge City Council met in regular session on April 12, 2011 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 Kampfe, Mahan, Richter, Labrie, Schoenike and Williams. Absent: None.

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

MINUTES OF MARCH 22 Motion by Mahan, second by Schoenike to approve the minutes of the March 22 meeting as submitted. On roll call vote all Aldermen present voted “Aye”. Motion carried.

CLAIMS AGAINST THE CITY Motion by Kampfe, second by Williams that claims against the City totaling \$172,990.19 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.

Kampfe highlighted some of the large claims for the month. Denning, Downey & Associates, the City’s auditors, submitted a bill for \$9275. The audit was also submitted to the Council. Kampfe said there were items in the audit that are being reviewed for improvement. There were flow through funds received from CDBG for the Boys and Girls Club for \$14,777 to go for their present remodeling project. PowerPlan OIB submitted a claim for \$17,678, which was for repairs on the street sweeper. It had previously been stated that the street sweeper was in need of some costly repairs and this has been done.

OFFICERS REPORTS Kampfe pointed out to the community and to the Council that 2010 has been a record year for collection of the Resort Tax. \$651,000 was collected in 2010 and \$645,000 in 2007 which was the next highest collection year. He said he feels the Red Lodge economy is coming back and sustaining itself.

COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS None

SPECIAL COMMITTEES – Highway 212 Meeting – update – Sanderson told the Council that he, Mayor Roat and Skip Boyer attended a meeting with MDT on the 212 rebuild. He said the State is proposing a cost on the project, Red Lodge North 1.83 miles, of \$7,350,000. Sanderson summarized the list of issues that the City has with the project. Proposed detours for both the construction of 212 and the roundabout listed Word Ave. The maps however listed Hauser. Oaks Street between 7th and 8th will be turned into a one-way street but the parking around the library will not be enhanced. Access beyond the two way left turns, which is from Sam’s Tap Room to the round-about at Two Mile Bridge Road, is a concern pertaining to the Messiah Lutheran Church property. If the right in, right out access is taken away at the access that is jointly shared between Sam’s Tap Room and the Church it will land lock the Church property. This would not be in the best interest of the landowner or the City. Concerns were expressed about fire and ambulance access to the hospital during construction of the roundabout and the work on Highway 78. There are tertiary concerns with post construction on access to Highway 78 from the Fire Hall as well as parking. Sanderson said the next concern is the continuation of the Street Scape design in the historic district. MDT has been told that the City does not want this. It appears MDT will continue regardless of what the City wants. Sanderson said that during the construction process Third Street would receive some improvements but not Bonner, which was also requested. Surfacing and dust control was requested on Haggin Ave. proposed detour and MDT did agree to provide hard surface and dust control for at least one lane. There may be work done in the floodplain at Two Mile Bridge Road but there was no discussion of obtaining permits from Carbon County for this work. Earthen berms are

proposed along the Highway and there is finding of facts that earthen berms along the Highway increase wildlife and vehicular accidents. MDT has been encouraged to remove these from the plans. The proposed decorative lights within the City to First Street are not consistent with historic lighting on Broadway. The proposal was for 70-watt high-pressure sodium lights. Sanderson said this should change. Sanderson said initially an analysis was done on the use of LED lights to keep the cost of lighting down but his issue is dead. MDT is going with 70 watt and 250-watt high-pressure sodium lights. The City requested the State visit with the Library and its Board regarding issues like parking and the rebuild on Oaks and the same with the Fire Department. Parking has become an issue especially with post construction.

Mayor Roat said one of the biggest concerns is that MDT thinks the City owns the railroad land from the Jarussi fence line north. The City does not own this land because the railroad did not own the land to begin with, to give to the City. The City has tried to explain this.

Historic Preservation Commission – update The Historic Preservation Officer, Scott Lauf, spoke to the Council regarding two items that the Historic Preservation Office has been working on. One is a continuing item and is the National Register Nominations. This year, in 2011, three new sites have been added to the Register and they are the Bearcreek Cemetery, the Red Lodge Mausoleum and the Blue Water Creek Bridge near Fromberg. Lauf said the goal is to have at least two new nominations added each year. He said this is a shared goal with the Historic Society. He said they are hoping to submit the Yodeler as a new nomination. The Yodeler goes back to 1907 as a motel.

Lauf has been going to the communities in the County asking for any suggestions on sites to pursue as nominations to the Register. He also showed slides to the Council of the mapping that has been done on the computer showing the historic sites in the County. He has tried to put in a historical description and photograph of each of these sites.

Lauf asked if the City would have to approve any design review fees set up by the Historic Preservation Office. Sanderson said if the fees were set up under the auspice of the Historic Preservation Office they could set the fees, collect the fees and administer the fees. Lauf said they would keep the City informed if any fees are set.

STANDING COMMITTEES – ADMINISTRATION – Use of City Owned Land & Open Container Waiver – Arts in the Beartooth Motion by Kampfe, second by Labrie to approve application for the use of City owned property and open container waiver for the Arts in the Beartooth event on July 9, 2011. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Use of City Owned Land – Cruisen Red Lodge Car Show – Parking by Rodeo Grounds Motion by Kampfe, second by Williams to approve the application for use of City owned property for the Cruisen Red Lodge Car Show on July 22 – July 24, 2011. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Revised Resolution #3233 Kampfe told the Council that the Administration Committee met with the Librarian and the chair of the Library Board and the proposed Resolution #3233 has been revised and will come before the Council at the next scheduled meeting.

TBID Update Kampfe reported that the committee met with representatives from the Red Lodge Merchants and Lodging Association regarding the establishment of a TBID, Tourism Business Improvement District. This is done around the State is about a dozen communities. It is a voluntary assessment of \$1.00 per night on motels, hotels or vacation rentals. These funds would then go back into a marketing fund for the community. There is a provision for part of these funds to be put into the City

for the administration work that will be done. It is hoped to have this on the agenda at the next scheduled Council meeting.

POLICE AND EMERGENCY SERVICES – Williams said the Fire Chief brought up an issue at the committee meeting that will need to be addressed by the City regarding the addressing in Red Lodge. Addressing is being done in two ways. An example is to have 1 North Broadway or 1 Broadway North. This is misleading in many ways including the use of 911. Williams said the committee is reviewing this issue and will come back to the Council with some recommendations.

The committee talked with the Police Chief discussing employee issues in the department. Complaints have been received on some of the officers. The department is going to be responsive in trying to improve their image. The “image” is more the issue rather than the officers themselves. Committee members said they would try to become more involved such as riding with the officers and trying to understand the problems they face and what is needed to be done. Williams said the department has been receiving a fair amount of false alarms such as with banks and businesses. One particular business has set off the alarm eight times in a fairly short period of time. The officers, of course, need to respond to each alarm in the same manner assuming there is a problem. This has become an issue and the committee will be looking into this to see what can be done to alleviate the problem.

Police Commission Appointment – Bill Lehman Mayor Roat told the Council that Bill Lehman, retired LA Police Department, has submitted a letter of interest to serve on the Police Commission. Mayor Roat asked the Council for their concurrence in this appointment.

Motion by Mahan, second by Schoenike to appoint Bill Lehman to the Police Commission. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Ordinance #887 Question Schoenike said he has a question in regarding Ordinance #887. He referenced the e-mail received stating that R.L. City Court has processed the first citation involving this fine. A plea bargain was struck with the subject and the suspect pled guilty in lieu of paying this \$500 fine. Schoenike said he was confused as the Ordinance reads “no portion of the fine may be suspended, waived or deferred by the court.” Mayor Roat said that if necessary the Ordinance can be changed to accommodate the plea bargaining aspect. This will be watched and City Court and the City Attorney will be talked with.

**LAND USE AND PLANNING - Ordinance #892 – Building Department Fees – Second Reading
ORDINANCE #892**

Building Department Fees

An ordinance of the City of Red Lodge, Montana adopting the fee structure found in Appendix ‘L’ of the 2009 edition of the International Residential Code, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress in the City of Red Lodge, Montana; providing for the issuance of permits, the review of construction plans and collection of fees therefore; repealing Ordinance No. 877 of the City of Red Lodge, Montana and all other ordinances and parts of the ordinances in conflict therewith.

Motion by Labrie, second by Kampfe to approve Ordinance #892, Building Department Fees, on second reading. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Conditional Use Permits Update Sanderson reminded the Council that they would be considering two conditional use permits at the next scheduled meeting on the proposed Langlas Professional Office Building. All information on these permit requests will be given to the Council to review.

PUBLIC WORKS – CTEP/SAFE ROUTES Construction Contracts Sanderson said that in October of 2010 the City Council awarded the CTEP/Safe Routes project to Pioneer Mountain Substructures of Gallatin Gateway. Sanderson said he needs concurrence to let the contracts and he, along with Boyer and the City Engineers, have reviewed the contracts and found no problems. Mayor Roat asked if the bids had remained the same or if there were any changes. Sanderson said there was no change in price. He said he recalled that the low bid was \$35,000 below the next lowest bid.

Motion by Mahan, second by Richter to authorize the Mayor to execute a contract with Pioneer to pursue the Safe Routes to Schools construction project. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Cross Walk at Boys and Girls Club Charlotte Rice asked if the street going between Field School Park and the Boys and Girls Club could be signed better for pedestrian traffic for safety reasons. Mayor Roat said he would speak with the Public Works Director to see if he could mark better than just having the white lines on the pavement.

CITIZEN REPORTS Mayor Roat said that Mike Dayson is regretfully resigning from the Historic Preservation Committee. Mr. Dayson has a conflict with his employment. The City will be advertising for an interested party to fill this vacancy on the committee. The Mayor thanked Mr. Dayson for serving.

Charlotte Rice thanked the City Crew for the snowplowing they have done this winter.

CORRESPONDENCE None

MISCELLANEOUS Mayor Roat encouraged the Council to review the League of Cities and Towns website to see what bills that play a part in City government are being considered. Now would be the time to submit comments if the Council would like to on any of the proposed bills.

Richter said there is going to be a public meeting held at the old Roosevelt School building on April 19, 2011 from 6:30 p.m. to 8:00 p.m. to discuss what should be done with the building. There will also be a tour held of the building.

Mahan said the Lions Club would be holding their annual Easter Egg Hunt on Saturday, April 23, 2011 at noon in the Lions Club Park. This hunt is being held for children ages 1 – 12.

Labrie said the Parks Board has completed their Strategic Park Plan and will be bringing it to the Council soon. She also told the Council that DNRC is holding a tree conference in Red Lodge in September.

Schoenike made note about the document sent by Tracy Timmons of the Red Lodge Area Community Foundation called Beyond Civility from Public Engagement to Problem Solving. The article spoke to ways that public officials can get beyond partisan bickering that has been seen in State and National politics. Schoenike said there are some good ideas in this article to help with perceptions, communications and problem solving. Mahan said all City committees need to pay attention to this article and make sure they are working towards civility and problem solving.

Kampfe said he attended the Montana Tourism Conference and the Beartooth All American Road had a booth that was well represented. The 75th Anniversary of the Beartooth All American Road will be held in Red Lodge on June 10th and 11th, 2011. June 12th the events will be in Cooke City.

Charlotte Rice asked if it was feasible to have a flashing yellow light by the entrance to the hospital. She said it is difficult to see the change in speed limit on Highway 212 in this area. Kampfe said the signs in this area are larger than the normal standard highway signs. Mayor Roat said the Highway Department will not install a flashing yellow light.

Meeting adjourned at 8:20 p.m.

Mayor

ATTEST:

City Clerk