

April 13, 2010

The Red Lodge City Council met in regular session on April 13, 2010 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 and Kennicott. Absent: Alderman Priest.

**MINUTES OF MARCH 9** Motion by Mahan, second by Richter to approve the minutes of March 9 as corrected and submitted. On roll call vote all Aldermen present voted "Aye". Motion carried.

**MINUTES OF MARCH 23** Motion by Mahan, second by Kampfe to approve the minutes of March 23 as corrected and submitted. On roll call vote those in favor: Aldermen Kampfe, Mahan, Richter and Kennicott. Those abstained: Alderman Labrie. Motion carried.

**CLAIMS AGAINST THE CITY** Motion by Kampfe, second by Kennicott that claims against the City totaling \$247,910.66, 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 reported on some of the claims that will be paid at this time. One is to Flower Power for \$2000. This will assist in the purchasing of the hanging flower baskets that are put on the light poles on Broadway. This comes from the Parks Board budget. There are two claims this month coming from HOME funds to help citizens with the down payment on homes. These two claims were for \$61,723 and \$30,060. These are pass through funds that come from the State. DOWL-HKM received \$5,230.89 for closeout on the water project and costs related to the engineering of the solar panel project. Curtis Fleck received \$6,000 for interior painting done at the library. Denning, Downey & Associates submitted a claim for \$17,350 for the fiscal year 09-10 audit. Kampfe said a claim totaling \$6529.53 from NeighborWorks Montana will now be paid. This claim was submitted for engineering work done by Dowl-HKM on the Mountain Springs Villa project. The claim had previously been set-aside until all the work that was done had been ironed out. All questions have been answered so the claim will now be paid.

Kampfe said the Administration Committee had some questions on a claim submitted by Northwest Pipe Fittings for \$35,060 that is not included in the motion. Kampfe said the claim was for meters and equipment that they would like to make sure will be compatible with the automated meter reading system that is accepted by the City. This is something that will be discussed at a later time on this agenda. They just wanted a few details to be ironed out. Mayor Roat commented that this particular claim is not a part of the automated meter reading acquisition project but is a purchase for the maintenance of the current system. He said the project at Mountain Springs Villa required that the City install remote reading meters and the equipment purchased will be used in this area. Kampfe said the committee will be reviewing this claim again.

**OFFICERS REPORTS** The officer's reports were presented to the Council for their review. It was noted that the water loss is up once again. The report showed a 71% loss this past month. This will be monitored to see if an answer can be found for the loss.

**COMMENTS FROM PUBLIC** None

**SPECIAL COMMITTEES – Mountain Springs Villa Application – Hearing on 4/27/10 at 6:00 pm** – Mayor Roat said there will be a hearing on April 27 at 6:00 p.m. before the next scheduled Council meeting. NeighborWorks Montana has requested a variance to allow for the placement of the mobile

homes that are encroaching on the alley. The required setback has not been met by the current placement of these trailers.

Kennicott asked if a site visit would be possible to see exactly where the trailers in question are located. Sanderson said there will be a detailed packet for the Mountain Springs Villa request for the Council, acting as the Board of Adjustments, to review for the hearing that will be held April 27, 2010. He said that a group on site visit could be highly problematic as it could enter into the realm of ex parte communication, sharing of ideas among the board members and could, perhaps, influence the members to vote one way or the other. He said that site visits should be done by each member on their own and not in groups or with staff.

Mahan acknowledged that Angela Beaumont is the newest board member selected for the Chamber of Commerce.

**STANDING COMMITTEE – Administration – Ordinance #879 – Resort Tax – First Reading  
ORDINANCE NO. 879**

**THE FOLLOWING IS AN ORDINANCE REPLACING CHAPTER 4 OF TITLE 2 OF THE RED LODGE MUNICIPAL CODE, INCLUDING ORDINANCES NO. 832, 833, 833 FIRST AMENDED, 833 SECOND AMENDED, 833 THIRD AMENDED, 833 FOURTH AMENDED, 833 FIFTH AMENDED, AND 834 OF THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA, ADMINISTRATIVE ORDINANCES GOVERNING THE COLLECTION AND REPORTING OF RESORT TAX REVENUES.**

Kampfe explained to the Council that the committee incorporated the comments made by Sam Painter into the final draft of the Ordinance. Kampfe said the bonding requirements changed stating “The bond, cash or letter of credit must remain effective for three months after the renewal date of the entity’s initial business registration.” He said this essentially has a new business being bonded for a full cycle which is usually for a year with the bond being given back three months after this point.

Richter had a question about taxable sales “B. 3. Rentals on snowmobiles, automobiles, all-terrain vehicles, motorcycles, bicycles, skis, boats, campers, and boat motors.” She asked if snowboards and snowshoes would be included in this section. It was discussed and decided that it was something that was originally missed.

Motion by Kampfe, second by Labrie to approve Ordinance #879 on first reading. Amendment to motion by Richter, second by Kampfe to add snowboards and snowshoes to Section 2-4-4. B. 3. On roll call vote on the amendment and main motion all Aldermen present voted “Aye.” Motion carried.

**Joint Airport Board Agreement with Carbon County** Kampfe reported that the Administration Committee is reviewing the current agreement with the County. He said they have seen no major changes for the agreement but more of a housekeeping review of the agreement and getting it up to date.

**Emergency and Police Services – Search and Rescue Interlocal Agreement** Chief Kuntz told the Council that the purpose of this agreement is to cooperatively allow the City to provide search and rescue services with the County. It would provide approximately \$8500 for the year that would help supplement the cost of the EMS budget. The primary reason for the agreement is that the City has the staff and the ability to provide these services and it helps supplement the budget. It allows the County to obtain the service at a much reduced cost. Kuntz said the agreement would now go back to the County for approval if this is okay with the Council. It will then come back in final form for the Council to review. The Mayor asked what the Sheriff thought of this agreement. He was told that the Sheriff is totally in favor of

the agreement. Kuntz was told by the Council to go forward with this agreement and to present it to the County for their consideration.

**Workers Compensation Interlocal Agreement** Kuntz said it is hard to decide who a volunteer might be working for if there is a mishap. Kuntz said that MMIA (Montana Municipal Interlocal Authority) has tentatively approved this agreement. The Rural Fire District has also tentatively approved the agreement. Kuntz said there would be no increased costs to the City if the agreement is entered into. MMIA will need to formally accept the agreement after it has been presented in final form.

**County Vicious Dog Ordinance** Mahan gave the Council a copy of the new County ordinance for control of vicious dogs. She said it is a simple ordinance and the ideal outcome would be to have other communities in the County incorporate ordinances that would make all the rules the same.

**Land Use and Planning – Ordinance #881 – Floodplain Regulations – Second Reading**  
**ORDINANCE NO. 881**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA, ADOPTING A NEW CHAPTER 3 OF TITLE 12, ENTITLED 2010 RED LODGE FLOODPLAIN ORDINANCE, TO THE RED LODGE CITY CODE.**

Motion by Kampfe, second by Mahan to approve Ordinance #881, An Ordinance of the City Council of the City of Red Lodge, Montana, Adopting a New Chapter 3 of Title 12, Entitled 2010 Red Lodge Floodplain Ordinance, to the Red Lodge City Code, on second reading. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**St. Vincent’s Class III Permit Request** St. Vincent’s Healthcare is applying to the City for a Class III Development Permit for a new 7,464 square foot primary health care clinic, the Mountain View Clinic. The proposed development is located in the US Highway 212 North Corridor in Red Lodge on a tract of land that is currently vacant. A mixture of residential, commercial and industrial uses surrounds the property; the lot directly north of the project is vacant. The proposed health care facility is a permitted use in the Community Entrance Zone. St. Vincent is to be commended for its voluntary actions implementing the 2008 Red Lodge Growth Policy with the Mountain View Clinic development. The site plan implements the extension of the gridded network and is designed to shield the parking area from view of the Highway.

Storm water retention will be done on site through a series of drainage infiltration ponds. Storm water on the City’s gridded network will be carried down and dealt with along Hauser or Robinson Lane.

The application proposes to build a five-foot wide sidewalk on property owned by St. Vincent along the US Highway 212 ROW. The sidewalk will be built to City standards and the design and placement approved by the Public Works Director. This will also include curbs and gutters as part of the development. Water and sewer mains will extend in the public rights-of-way. The landscaping was looked at and was found to meet the Red Lodge requirements in the Development Code.

St. Vincent Healthcare is installing streets, water, sewer and other utility facilities on land owned exclusively by them. The required infrastructure will benefit adjacent properties. As such, St. Vincent has submitted a draft Latecomer Agreement with a fifteen-year sunset. This draft agreement sets forth reasonable proportionate shares of the infrastructure for all properties benefiting from the infrastructure. The agreement states that the City will collect the proportionate share of the infrastructure cost if and when the adjacent properties develop.

Sanderson told the Council that the Planning Board recommends approval for the Class III Permit with twelve conditions being listed. These conditions are as follows:

1. That this development permit is issued to St. Vincent Healthcare to construct, operate and maintain a health care clinic.
2. That the owner shall obtain a building permit from the City and comply with any and all requirements including obtaining a certificate of occupancy prior to opening or conducting any of the activities discussed in the application.
3. That the building plans and use specifications be approved by the Fire Department prior to the occupancy and use of the structure.
4. That the plans for the provision of municipal water, sewer, and storm water be reviewed and approved by the Public Works Director prior to the submittal to MDEQ for approval.
5. That before documents are submitted to MDEQ and before bids are let, the design for water, sewer and the transportation corridors will be submitted to and approved by the Public Works Director.
6. To avoid the appearance of conflict of interest where DOWL-HKM is the City's Engineer, that if the design and construction engineering is to be performed by DOWL-HKM, an independent third party engineer shall review and certify the work prior to the submittal to the PWD.
7. That prior to occupancy, St. Vincent will execute and record a formal dedication of the new rights-of-way.
8. That all required improvements would be completed, approved and/or accepted by the City and guaranteed prior to the issue of a certificate of occupancy.
9. That the owner is responsible for the maintenance of runoff management measures.
10. That when the infrastructure as described in the Draft Exhibit A is installed, the applicant shall submit to the City for approval an updated Latecomers Agreement, Exhibit A and Exhibit B with as built final construction costs detailed. It is the responsibility of the applicant to assure that the Latecomers Agreement is executed and recorded with the Carbon County Clerk and Recorder before a certificate of occupancy is issued by the City Building Inspector. If the applicant chooses to occupy the structure before the Latecomers Agreement is executed and recorded, the City may deem the Latecomers Agreement to be invalid.
11. That all solid waste receptacles shall be properly secured from wildlife.
12. That all lighting shall comply with section 12-10-5 of the 2006 Red Lodge Development Code.

Kennicott asked if having only one exit would be an issue. Chief Kuntz said he feels there will be no problem with this.

Motion by Mahan, second by Kampfe to recommend the approval of the Class III application for St. Vincent's Healthcare in accordance with the plans and specifications submitted and for the staff report and findings of fact with the following conditions listed 1 – 12. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Ordinance #882 – Adopt International Energy Conservation Code 2009** Sanderson said the State of Montana Department of Labor and Industry has adopted the 2009 International Energy Conservation Codes and that we as a certified City are required to adopt the same and implement within ninety days. Sanderson told the Council there are a couple of minor changes that will be made on the ordinance before it comes back to the table on second reading.

Motion by Labrie, second by Richter to approve Ordinance #882 on first reading. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Resolution #3303 – Budget Authority – CDBG Planning Grant**  
**BUDGETARY AUTHORITY RESOLUTION**  
**RESOLUTION NO. 3303**

**WHEREAS**, the City of Red Lodge received grant funds in the amount of \$20,000.00 for FY-2010 for use in the preparation of a new zoning code to implement the 2008 Growth Policy, for which no provision was made in fiscal 2009-2010 City budget. These funds were given to the City of Red Lodge as a grant from the Montana Department of Commerce Community Development Block Grant program; **AND WHEREAS**, cities may appropriate federal or state money received during the fiscal year by formal resolution,

**NOW THEREFORE, BE IT RESOLVED** that the City Council hereby appropriates the sum of \$20,000.00 and directs the City Clerk to allocate said amount to the following programs and objects.

<u>Revenue Code</u>		<u>Amount</u>
1000-331010	CDBG	\$20,000.00

<b>Expenditure Code</b>	<b>Object of Expense</b>	<b>Amount</b>
1000-411040-397	Contracted Services	\$20,000.00

BE IT FURTHER RESOLVED that the above appropriation shall become effective on April 13, 2010.

Sanderson told the Council that during the budgeting process the revenue from the CDBG Planning Grant was not included. The spending authority was budgeted for however. Since the City has received the grant the City now needs to include the revenue in the budget so this resolution was drawn up.

Motion by Kampfe, second by Labrie to approve Resolution #3303, Budgetary Authority Resolution. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Right-of-Way Acquisition – Brewer** Sanderson said that when the Mountain Springs Villa project was approved in September of 2009 it had a number of outstanding issues. The most damaging problem was the installation of the sewer main across property owned by Fred and Peggy Brewer. The City has not accepted this sewer line that is in question at this time. In December, Sanderson spoke with the attorney for the Brewers and asked if they would forego legal action and give the City as a third party, with interest, time to try and negotiate a 60-foot right-of-way through the property to implement the City 2008 Growth Policy. This would be at no expense to the Brewers. The culmination of these discussions is the right-of-way agreement that is before the Council tonight through the Brewer property. Sanderson then spoke of the eleven conditions that are listed in the agreement.

1. A gradual reduction in the elevation of the road commencing on the Mountain Spring Villa property with a continuing reduction across the Brewer property ensuring safe and easy access from both the east and west sides of the Brewer property once the road is completed.
2. Curbs and gutters directing runoff water to a storm water collection system shall be installed along with curb cut access on both sides of the street for Brewer access. The City shall hold the Brewers or their successors harmless for any maintenance, cleanup or stabilization needed if the steep hillside on the west side of the property erodes or slides toward or onto the roadway. Any such maintenance, cleanup or stabilization shall not unreasonably interfere with the Brewers' or their successors' use of the property.
3. Design and grading plans will all be pre-submitted to the Brewers for their review and approval so long as approval is not unreasonably withheld. The City agrees to place the road as far east on the property as possible in completing the connection with the existing road beginning on the border with the Mountain Springs Villa property until it exits the Brewer property on the north side. The design of the right-of-way shall attempt to maximize the distance between the west edge of the right-of-way and the irrigation canal while complying with AASHTO and Montana Public Works Schedule. This placement is intended to allow maximum development potential for the Brewers on both sides of the right-of-way. Given that the west parcel created after the right-of-way is completed will have limited building area between the west edge of the right-of-way and the irrigation canal, the City of Red Lodge shall specifically waive any building set back requirements

otherwise applicable to this western parcel and authorize construction by the Brewers or their successors with 0 front yard setback requirements.

4. The 20 foot access easement across the Brewer property identified on Certificate of Survey 1285, 2<sup>nd</sup> Amended, shall be permanently extinguished and signed off on by the dominant tenement, NeighborWorks Montana. The access shall remain open and the extinguishments shall not take effect until completion of the roadway upon the right-of-way.
5. Upon completion of a new sewer line within the right-of-way, the existing sewer line placed under the access easement identified on Certificate of Survey 1285, 2<sup>nd</sup> Amended, shall be abandoned in place with complete ownership transferred, at no cost, to the Brewers. This provision shall be signed off on by NeighborWorks Montana. The City shall not restrict structures being built over the top of the line.
6. The grant of the right-of-way to the City shall subdivide the Brewer property, dividing the land into two separate parcels on either side of the right-of-way. This subdivision shall occur at no cost to the Brewers.
7. The roadway and utility placement shall be completed at no cost to the Brewers.
8. The City will secure the commitment from NeighborWorks Montana to extinguish the 20-foot access easement and abandonment and/or removal of the existing sewer line and provide proof of the commitment to the Brewers.
9. Preparation of documents to complete the right-of-way grant, installation of the roadway and utilities, extinguishments of the 20-foot access easement, and abandonment and transfer of the existing sewer line shall be completed at no cost to the Brewers, but specifically subject to their review and approval to ensure compliance as indicated herein.
10. The City Council shall consider and approve the terms and conditions set forth herein.
11. Time is of the essence to complete the right-of-way grant and meet the conditions outlined herein.

Sanderson said that condition #4 is easy to deal with. DOWL-HKM has stated, in writing, that they will assist with the extinguishments of this easement. Sanderson said he also has a verbal commitment from NeighborWorks Montana that they will also do so. Regarding condition #5 Sanderson has the same commitments from DOWL-HKM and NeighborWorks Montana. DOWL-HKM said they would prepare the Certificate of Survey for the City as stated in condition #6. Sanderson said that this agreement solves many of the major problems with the completion of Mountain Springs Villa.

Motion by Mahan, second by Kampfe to accept the agreement with the eleven points including condition #10 approving all the terms and conditions in the letter dated March 23 and the permission to give access across the property submitted by Peggy and Fred Brewer through their attorney Benjamin LaBeau. On roll call vote all Aldermen present voted "Aye." Motion carried.

Sanderson requested the Council also make a motion to accept the letter that was written by DOWL-HKM stating their intents toward making this agreement happen.

Motion by Mahan, second by Labrie to accept the DOWL-HKM letter as presented. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Approve CTEP Safe Routes Contract – Sanderson-Stewart** Sanderson said the contract with Sanderson-Stewart is being issued under the State of Montana Department of Transportation procurement for CTEP and the Safe Routes Project, which gives the City the authority to go direct to contract for any service that does not exceed \$20,000. Sanderson said he contacted Sanderson-Stewart, McKee Engineering and Allied Engineering and asked if they would do the design following the State procurement process. The proposal from Sanderson-Stewart is for \$19,905. The other two contacted firms could not meet this commitment. Sanderson said he is recommending the approval of the contract with Sanderson-Stewart for the CTEP Safe Routes Sidewalk project so they can begin with the design so

the sidewalk construction can move forward from Highway 78, along Lions Club Park all the way to the Mountain View School.

Motion by Labrie, second by Mahan to approve the agreement with Sanderson-Stewart. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Resolution #3304 – Road Names – Hauser Ave. and Robinson Lane**  
**RESOLUTION NO. 3304**  
**RED LODGE CITY COUNCIL**

A Resolution by the City Council of the City of Red Lodge to assign the names Hauser Avenue and Robinson Lane to the public right of way dedications of the St. Vincent Mountain View Clinic Development.

**WHEREAS**, St. Vincent's is dedicating two public right of ways with the Mountain View Clinic Development on the following tract of land RED LODGE NORTH ANNEXATION, S22, T07 S, R20 E, TR 1A 2<sup>ND</sup> AM COS 511 7<sup>TH</sup> AM, AND;

**WHEREAS**, Ordinance 874 of the City Council of the City of Red Lodge authorizes the City Council to name streets and avenues in the best interest of the City and inhabitants thereof, AND;

**WHEREAS**, On August 12, 2009, the City Council of the City of Red Lodge adopted Resolution #3259 which formally adopted the 2008 Red Lodge Growth Policy. The 2008 Red Lodge Growth Policy may be cited as Chapter 1 of Title 12 of the Red Lodge City Code, AND;

**WHEREAS**, The extension of the City's gridded network of public rights of way including Hauser Avenue furthers goals of the 2008 Red Lodge Growth Policy.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Red Lodge, Montana, to adopt Resolution Number 3304 designating the new public right of way dedications from tract RED LODGE NORTH ANNEXATION, S22, T07 S, R20 E, TR 1A 2<sup>ND</sup> AM COS 511 7<sup>TH</sup> AM as Hauser Avenue and Robinson Lane.

Motion by Kampfe, second by Labrie to approve Resolution No. 3304, A Resolution by the City Council of the City of Red Lodge to assign the names Hauser Avenue and Robinson Lane to the public right of way dedications of the St. Vincent Mountain View Clinic Development. On roll call vote all Aldermen present voted "Aye." Motion carried.

Chief Kuntz said this dedication will cause a jog in Hauser Avenue but he and Sanderson have not come up with a better solution. Sanderson said the jog will only be 84.98 feet and appears to not be a problem.

**Use of City Owned Land – Rent, Lease, Street Closures, Camping @ Airport** Mayor Roat said we are coming to the season where the use of City property is going to be utilized for various functions. Mayor Roat said if there are any changes or modifications that anyone would like to see made now may be the time to do so. Angela Beaumont said that some of the businesses are very definite on wanting to lift the ban on using sidewalks for sale purposes during the July 4<sup>th</sup> holiday and the Beartooth Rally. Currently the Ordinance states "Except during the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> of July and when the Beartooth Rally and Harley Rodeo are held, use of the area of City sidewalk within five (5) feet of the lot line of private property in any district zoned for commercial use shall be exempt from this ordinance but shall be subject to the consent of the owner of the real property or its representative on that property." Kampfe said that when this was included in the Ordinance it was felt that more sidewalk space was needed during these two holidays for traffic and safety. He said that he for one is comfortable having the merchants put their wares on the sidewalk at these times and that he would be willing to review the ordinance for any changes that would then need to be made. Mahan stated that she would like to see something about parades and how they will be handled included in the Ordinance. The Land Use and Planning Committee is willing to review this Ordinance and the corresponding application to see what changes may need to be made. They will take comments from anyone who has suggestions on this issue.

**Public Works – Report on Automated Meter Reading Acquisition** Sanderson told the Council that the RFP was published in the Billings Gazette, the Carbon County News and the free public works website. The City has so far received one proposal. The proposals will be accepted until 5:00 p.m. on April 16, 2010. He said a committee needs to be appointed to review and rank the received proposals. Mayor Roat appointed Alderman Mahan, Loni Hanson from Public Works and himself to sit on the review committee.

**Northwest Pipe Fitting Claim** Mahan said the claim discussed earlier that was not approved for payment is a maintenance claim for the purchase of meters. These meters would be purchased regardless of the outcome on the automated meter reading acquisition. The meters purchased on this claim would be available for use with any system that may be selected. Kampfe said the committee had questions regarding the claim and would like them answered before they approve or disapprove the claim for payment. The questions they have will be given to the Public Works Director for an explanation as soon as possible. Then they will make a decision on whether or not to sign for payment.

**Municipal Engineering RFP – Ranking Report** Ten applications were received for the Municipal Engineering. The committee selected the top five applicants and held in person interviews with them. The ranking order of these five firms was as follows: 1) Sanderson-Stewart, 2) Great West Engineering, 3) Morrison-Maierle, 4) CTA and 5) DOWL-HKM. The top three applications will be sent to the Administration Committee to start the contracting process and find out what the costs will be.

Motion by Richter, second by Mahan to accept the ranking of the top three engineering firms and move this on to the Administration Committee to enter into negotiations for a contract. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**Street Signs** Mahan said she spoke to Skip Boyer about signs by the High School and the Nature Center. He indicated that he and Chief Pringle have discussed signage in this area where these two roads split. Boyer also said that maintenance would be done on the road that continues into the Nature Center.

**CITIZEN REPORT** Marie Olson, Boyd Motor Sports, asked about automobile rental being a taxed item in the Resort Tax Ordinance. She said her business rents vehicles and that sometimes they rent them because someone’s car has broken down. She does not find this to be a luxury at this point. The question on this item was discussed by all. Kampfe stated that there would likely always be areas in the ordinance that can and will be questioned. He said there is a provision in the ordinance that the Mayor can make decisions on a case-by-case basis. The Mayor will then need to put his decisions in writing so they can be kept and later referred to if necessary.

Jen Nelson, Merchants and Lodging Association, told the Council that they sponsored Angela Beaumont to attend the Governors Conference for Travel and Tourism that was held in Kalispell. Nelson said the organization feels our area is being neglected by the State and especially by the Office of Tourism. She said the association is on a campaign and working very hard for Red Lodge and their businesses.

**CORRESPONDENCE** Mayor Roat told the Council that he has contacted Fish and Game regarding the turkeys in the Finn Park area. He was told it was not illegal to feed the turkeys. He was also told that hunting them was an option. Discussion, comical as some of it was, was held by the public and Council on the means and ways that this hunting could be done, all in a legal manner of course. The Fish and Game is very reluctant on relocating the birds.

Richter said the Library Board asked her to announce that the Beartooth Front Community Forum is going to be on the future of the Red Lodge Carnegie Library. This will be held on April 29, 2010, at 7:00 p.m. at the Red Lodge High School.



Sanderson said there are letters from MDT and MDEQ in the packets. He said responses are due on both of these letters. He said he feels that MDOT misunderstood the point stated in the letter previously sent regarding the rebuild of Highway 212. Sanderson said he would draft another letter to be sent and hopefully MDT will understand the concerns of the City. He said if they did not that it might be a good idea to set up a meeting with MDT and the Council to discuss Highway 212 and what the City expects them to do in the Highway 212 corridor.

The second letter from MDEQ deals with the old fueling station on the north end of town. Sanderson said that from what he understands there is still fuel in the tanks and they are full of vapor. They can be an explosion hazard. The answer from MDEQ was not acceptable to the City and another letter will be sent asking for cleanup of the area. They will be asked to remedy the problem.

**MISCELLANEOUS** Mike Keyes talked to the Council about the idea being discussed and looked into for an indoor ice rink. He said a public meeting would be held upstairs at Bridgecreek on April 21, 2010 at 6:00 p.m. Keyes said the meeting is being held to see if it is truly viable to have an indoor ice rink and what other uses it could potentially have to serve the community. He said a member of the community is involved with NHL and it was stated there is a potential for grant funds to help get the building started. Land would of course be needed for this facility to be built on. One of the pieces of property being discussed would be the land north of the Red Lodge High School at Coal Miners Park. He encouraged the Council to attend this meeting, as there is a movement to start this endeavor.

Kennicott told the Council that she has written an ordinance regarding the speed limit on Airport Road. She said this ordinance has gone to Sam Painter for his review. She said she did not know that changing street names needs to also be done by resolution so she is sure this is something that Painter will also get back to her on. This is something that she or Painter will also take care of if needed. This ordinance will raise the speed limit to 35 mph from the 25 mph.

Meeting adjourned at 9:20 p.m.

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Mayor

ATTEST:

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City Clerk

