August 14, 2012

The Red Lodge City Council met in regular session on August 14, 2012, 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 Mahan, Richter, Labrie, Schoenike and Williams. Absent: None.

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

MINUTES OF JULY 24 Motion by Mahan, second by Schoenike to approve the minutes of July 24 as submitted. On roll call vote all Aldermen present voted "Aye." Motion carried.

CLAIMS AGAINST THE CITY Motion by Labrie, second by Williams that claims against the City totaling $309,959.94 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 commented on two of the claims that were larger ones. One is to MMIA for the City's annual liability insurance. This claim totals $80,225. Riverside Sand and Gravel has completed the asphalt overlay for the Hauser extension with the final bill totaling $79,843.

OFFICERS REPORTS The officer's reports were presented to the Council for their review. Mayor Roat said the percentage of water loss is down as Public Works Director Boyer told him happens every year.

COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS None

PUBLIC HEARING – Red Lodge Alliance Chapel Sanderson said the City has received a request to further table the decision on the Conditional Use Permits for the Red Lodge Alliance Chapel via their attorney Steve Thuesen. They are still working to attempt to resolve issues as they pertain to the connection to sewer systems as required by Municipal Ordinance and the Zoning Regulations. They respectfully further request the Council table this item to the August 28, 2012 meeting.

Motion by Schoenike, second by Labrie to table this item to August 28 at the regular meeting. On roll call vote all Aldermen present voted "Aye." Motion carried.

SPECIAL COMMITEES None

STANDING COMMITTEES – ADMINISTRATION – Resolution #3347 – 2011-2012 Budget Transfers

RESOLUTION NO. 3347

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA AUTHORIZING FISCAL YEAR 2011-2012 BUDGET TRANSFERS.

Be It Resolved that the following Fiscal Year 2011-2012 Budget Transfers are hereby authorized:

Fund No.	Account No.	Description	Transfer
TRANSFER TO:			
1000	410360-200	Court-Supplies	961.00
1000	410360-940	Court-Capital Outlay	8477.00
1000	410500-200	Clerk-Supplies	131.00
1000	410530-353	Audit	2819.00
1000	411100-352	Attorney	2420.00
1000	411200-920	City Hall-Capital Outlay	7985.00
1000	430900-200	Cemetery-Supplies	3737.00
1000	460100-100	Library-Salary	384.00
1000	460100-200	Library-Supplies	1085.00
1000	460100-920	Library-Capital Outlay	4729.00
1000	460445-100	Pool-Salary	5277.00
1000	460445-300	Pool-Purchased Service	555.00
1000	460445-920	Pool-Capital Outlay	7316.00
1000	521000-821	Transfer to Capital Outlay	17127.00
TRANSFER FROM:			
1000	410360-300	Court-Purchased Service	9438.00
1000	410500-300	Clerk-Purchased Service	131.00
1000	411040-300	Planning-Purchased Service	2819.00
1000	430900-300	Cemetery-Purchased Service	3737.00
1000	460100-300	Library-Purchased Service	6198.00
1000	460445-300	Pool-Purchased Service	1901.00
1000	411500-300	Estate Trust	38779.00
TRANSFER TO:			
2100	430230-200	Resort Tax-Streets Supplies	21838.00
2100	430230-300	Resort Tax-Streets Purchased Service	13052.00
2100	430230-940	Resort Tax-Streets Capital Outlay	4384.00
2100	430500-930	Resort Tax-Water Capital Outlay	21875.00
2100	460430-100	Resort Tax-Parks Board-Salary	3272.00
2100	460430-200	Resort Tax-Parks Board-Supply	4884.00
2100	460430-940	Resort tax-Parks Board-Capital Outlay	8158.00
TRANSFER FROM:			
2100	430230-100	Resort Tax-Streets-Salary	5574.00
2100	430500-300	Resort Tax-Water-Purchased Service	71889.00
TRANSFER TO:			
2220	460100-920	Library-Capital Outlay	8000.00
TRANSFER FROM:			
2220	460100-200	Library-Supplies	8000.00
TRANSFER TO:			
2394	420530-200	Building-Supplies	2979.00
TRANSFER FROM:			
2394	420530-300	Building-Purchased Service	2979.00

TRANSFER TO:			
2956	430200-930	ISTEA-Capital Outlay	109858.00
TRANSFER FROM:			
2956	430200-300	ISTEA-Purchased Service	109858.00
TRANSFER TO:			
4030	411000-940	Capital Projects-Capital Outlay	5806.00
4030	460100-920	Library-Capital Outlay	20000.00
TRANSFER FROM:			
4030	411000-300	Capital Projects-Purchased Service	25806.00
TRANSFER TO:			
5510	521000-821	Ambulance-Transfer to General	17127.00
TRANSFER FROM:			
5510	420700-300	Ambulance-Purchased Service	17127.00

Motion by Labrie, second by Schoenike to approve Resolution #3347, a Resolution of the City Council of the City of Red Lodge authorizing fiscal year 2011-2012 budget transfers. On roll call vote all Aldermen present voted "Aye." Motion carried.

Council Vacancy – Ward 3 Motion by Mahan, second by Williams to approve the application of William Foisy for the vacancy on Ward 3 for the City Council. On roll call vote those in favor: Aldermen Richter and Labrie. Those in opposition: Aldermen Mahan, Schoenike and Williams. Motion failed.

Lease Nomination – Tract B-5 – Kam Stevens/Kim Ruby Sanderson said the City received a request from the current lessee, Kam Stevens, and Kim Ruby proposing to nominate Parcel B-5. This is the site where the City Brew Coffee kiosk is currently located. The proposal is to look at a term of twenty-five years. The advantage of this term of years to the City is that the lease of Parcel B-5 would then expire at the same time as the lease on Parcel B-3. Sanderson asked for guidance from the governing body before he runs the figures on a twenty-five year lease.

Mayor Roat asked what the statue specifications were in years for municipal property if the City decided to go with a twenty-five year lease on this parcel. Sanderson told him it was ninety-nine years.

Schoenike asked, based on the requirements subject to this property, what the break even period would be. Sanderson said that without running the numbers he submits that given the significant cost of improvements that would be required he would estimate fifteen to nineteen years for a breakeven. Sanderson said the improvements to this parcel, if leased, are significant. The proposed lessee will need a Conditional Use Permit, the lot needs to be paved and connection made to municipal water and sewer. Sanderson estimated these costs to be $75,000 to $80,000 for the capital improvements.

Kim Ruby told the Council that she is looking for some security with this lease as she said she would have to sell a lot of coffee to pay her share of the improvements. She just wants to be sure she has a secure lease for this period of time. Sanderson said that after he runs the numbers on this parcel to determine the lease amount he will then post it so that bids may be received on this proposed lease. He said it would be posted for approximately four to six weeks to encourage bidders. The current lease is in effect until the end of the year.

Boundary Relocation – Airport Property Motion by Williams, second by Richter to approve the Red Lodge Survey of the airport property with the Mayor being authorized to sign. On roll call vote all Aldermen present voted "Aye." Motion carried.

It was stated that Wally Zook is doing a fine job by serving on the Airport Board. He is bringing information to the City in a timely manner and this is appreciated.

POLICE AND EMERGENCY SERVICES – Dispatch Agreement with Carbon County Sheriff Motion by Williams, second by Richter to approve the Interlocal Agreement involving the cost of dispatching between the Sheriff's Office and the City of Red Lodge. On roll call vote all Aldermen present voted "Aye". Motion carried.

The increase in dispatching fees for this upcoming year is 15%. Williams feels the City needs to discuss the quality of what is being received as well as some of the other issues involving some of the other agencies that are involved with the dispatching. The dispatching is being paid with 1/3 of the costs coming from the Ambulance District. The City pays the other 2/3 costs from the Police Department and the Fire Department. Mayor Roat said the City has not yet received a proposed agreement from the County regarding issues between the Sheriff's Office and the Police Department. Hopefully this agreement will be done soon so both departments know how to handle any work done between them.

Weed Notices Williams said that 120 notices were sent out regarding noxious weeds or tall grass. He said the response has been good. The property owned by the City along Highway 78 and Airport Road has been sprayed. The Cooper Lots have also been sprayed along with other small parcels owned by the City. Tim Ryan has done a very good job with weeds this year.

Williams thanked Warene Wall for the exceptional information she has put together on obtaining a new phone system for the City. A new phone system is greatly needed.

LAND USE AND PLANNING – Proposed Lease Tract A-AM Motion by Labrie, second by Schoenike to adopt Memo "Proposed Lease Tract A AM including relocation Parcel B C.O.S. 803RB, dated 8/6/12 as findings of fact. Further, I move to remove the described property from

consideration of lease or sale. On roll call vote all Aldermen present voted "Aye." Motion carried.

Sanderson reminded the Council that Tract A AM was proposed for lease by Kim Ruby as a potential site to place her coffee kiosk. This lease was posted for four weeks with no one submitting a request to lease the property. This is a valuable chunk of highway commercial real estate. There has been a lot of interest in this parcel throughout time primarily driven toward sale. No one has actually submitted a formal sale proposition hence the recommendation in the motion to withdraw the parcel from the table at this time.

Variance Request – MDT-Hospital Sign Sanderson said that MDT has submitted a variance request to relocate a non-conforming sign at the north entrance to the Beartooth Hospital. This will go to the Board of Adjustment on August 28, 2012 at 6:30 p.m. If the variance is approved the sign can be relocated at minimal costs. If the variance request is denied a conforming sign must be installed at the site or at a location that is approvable under the sign code.

Board of Adjustment Reminder Sanderson reminded the Council that there will be a Montana Administrative Procedure Act Hearing as the Board of Adjustment on Thursday, August 23, 2012 at 7:00 p.m. on the Mollring appeal. Sam Painter will be here to help run the MAPA hearing.

PUBLIC WORKS – Creation of a Cemetery District Mayor Roat said he asked Sam Painter for his guidance on the possibility of creating a Cemetery District to run the cemetery. There is a lot that needs to be done other than just watering the cemetery. Painter said a Cemetery District can be created by either: a) the City's governing body (Council) b) petition signed by 40% of registered voters or 40% of owners of real property within the boundary of the proposed Cemetery District and submitted to the City Clerk; or c) a referendum submitted to registered voters. Mayor Roat said that his concern is that if it is put to the vote of the people and it fails then nothing more can be done for a number of years. This would then put the cemetery in more trouble and needing more help especially with the mausoleum. Mayor Roat said the Council needs to be proactive and a decision needs to be reached as to what needs to be done.

Schoenike said that the costs of lots and opening and closing costs need to be re-evaluated. Williams said the Cemetery Trust Fund needs to be looked at to see what can or cannot be done with these funds.

CITIZEN REPORT Betty Ansorge said she is trying to contact the National Guard and the Great Falls Airport about putting on an Air Show and an old airplane exhibit. She was told to make sure that the length of our runway was shared with anyone that Ansorge spoke to. Mayor

Roat told Ansorge to keep the City informed of her outcome on these events. Ansorge spoke to her dislike of the Beartooth Rally and motorcycles in Red Lodge.

CORRESPONDENCE None

MISCELLANEOUS Labrie said the Parks Board meeting is on August 22, 2012 and that she will be unable to attend. Schoenike said he will attend the meeting this month.

Meeting adjourned at 7:50 p.m.

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Mayor

ATTEST:

_____
City Clerk