

December 14, 2010

The Red Lodge City Council met in regular session on December 14, 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, Kennicott and Priest. Absent: None.

**MINUTES OF NOVEMBER 23** Motion by Mahan, second by Labrie to approve the minutes of the November 23 meeting as submitted. On roll call vote those in favor: Aldermen Kampfe, Mahan, Labrie, Kennicott and Priest. Those abstaining: Aldermen Richter. Motion carried.

**CLAIMS AGAINST THE CITY** Motion by Kampfe, second by Mahan that claims against the City totaling \$202,992.30, 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 a few of the claims being paid this month. Red Lodge Electric did electrical work on water and sewer and some work was done on the UV light building project at the lagoons, \$23,084. \$23,000 was paid to the Boys and Girls Club for their expansion project and the funds will come to the City from CDBG before the payment is issued. City auditor, Denning, Downey and Associates, have started work on the City audit and year end report and were paid \$17,000.

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

**COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS** None

**SPECIAL COMMITTEES** As the December 28 meeting has been cancelled this meeting will be the last one for Aldermen Kennicott and Priest. Mayor Roat presented each of them with a plaque showing the appreciation of this community for the hard work they have done in the last three years on the City Council.

**ADMINISTRATION – Airport Agreement with Carbon County** Motion by Kampfe, second by Kennicott to approve the Airport Agreement with Carbon County and the City of Bridger. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Upcoming Council Vacancies** Mayor Roat said the upcoming vacancies on the Council have been advertised. He said Aaron Kampfe submitted a letter of interest in the Ward Three vacancy and Dan Gainer and Ed Williams submitted letters of interest in the Ward One vacancy. The decision to fill these two vacancies will be made at the first meeting in January 2011.

**Police and Emergency Services – Ordinance #888 – Noxious Weeds – First Reading**

**ORDINANCE NO. 888**

**AN ORDINANCE AMENDING TITLE 4 PUBLIC HEALTH AND SAFETY TO UPDATE CHAPTER 3 ON WEEDS IN ORDER TO COMPLY WITH THE MCA FOR NOXIOUS WEED CONTROL, TO REMOVE NUISANCE WEEDS (LONG GRASSES) FROM THIS CHAPTER OF THE CITY CODE, AND TO FURTHER ENFORCE THE CURRENT CRIMINAL PENALTY FOR VIOLATION OF THIS ORDINANCE.**

Motion by Kennicott, second by Richter to approve Ordinance #888 on noxious weed control for first reading. On roll call vote all Aldermen present voted "Aye." Motion carried.

Kennicott said that on November 9 two drafts were presented to the Council that had gone through review by the City Attorney but not through a Council Committee so the first reading was postponed. The Emergency and Police Services Committee was tasked with going over them and contacting other Council members for their comments before working on the drafts presented. The initial comments from Council members were that noxious and nuisance weeds should be in separate documents. The \$500 criminal penalty for each day of non-compliance was not appropriate or workable. There is already a process according to statute for noxious weeds in the form of an Agreement with the Weed District. The City is one of the biggest offenders. How does the City fine itself and if it isn't workable for the City how can it work for its citizens? It was also asked how the City would enforce nuisance weeds everywhere such as the airport, slopes, pastureland, etc. The Committee then began re-drafting and came up with the separate documents for noxious and nuisance weeds.

**Ordinance #890 – Nuisance Weeds (Long Grass) – First Reading**

**ORDINANCE NO. 890**

**AN ORDINANCE ESTABLISHING CHAPTER 4 NUISANCE WEEDS UNDER TITLE 4 PUBLIC HEALTH AND SAFETY IN THE RED LODGE CITY CODE.**

Motion by Kennicott, second by Kampfe to approve Ordinance #890 establishing Chapter 4 on nuisance weeds under Title 4, public health and safety. On roll call vote all Aldermen present voted "Aye". Motion carried.

Amendment to motion by Kampfe, second by Mahan to change 4-3-6 under appeals from Community Development Director to Mayor. On roll call vote all Aldermen present voted "Aye." Motion carried.

Kennicott said this would be a new chapter in the City's codebook. Kampfe pointed out that property owners needed to be aware of 4-3-2 which states: No person within the City shall permit nuisance weeds to exist on his/her property, lot or area inclusive of boulevards or the one-half of any public streets, roads, avenue or alleys adjacent thereto. Kampfe said he liked the exemption section and especially the permitting of using goats to get rid of nuisance weeds.

Sanderson commented on the appeal section stating that in the event an owner disagrees with a notice of violation they may appeal the notice to the Community Development Director. He feels this appeal should go directly to the Mayor, as the Mayor is the one that will designate the responsibility for removal of nuisance weeds on City property to the relevant department.

**Land Use and Planning – Use of City Owned Land – Parking Lot at Civic Center – Red Lodge**

**Mountain** Red Lodge Mountain Resort is pursuing the possibility of establishing a park and ride program from a parking lot within the City to the Mountain during weekends and other days of high volume skier visits. They would like to pursue the use of the parking lot between the Civic Center and Doug Brown Field. The Mountain feels the park and ride would provide a convenience for guest and would encourage increased patronage in the downtown area. The Mountain said that given the parking lot is used frequently by attendees to School events they would work with the School District to address possible conflicts. Jeff Schmidt said the Mountain would like to progress to having a shuttle to the mountain but they are now starting with a base of operation.

Motion by Labrie, second by Mahan to approve the use of the parking lot between the Civic Center and Doug Brown Field for a pick-up location for Red Lodge Mountain Resort to establish a Park and Ride Program. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Approve ROW/Plat Saint Vincent** Motion by Mahan, second by Labrie to approve the Subdivision Plat #511 8<sup>th</sup> AM for Saint Vincent Hospital and to accept the Right-of-Way dedications depicted on said plat. On roll call vote all Aldermen present voted “Aye.” Motion carried

The staff report states that the Plat is consistent with the Red Lodge Subdivision Regulations and the intent of the conditions imposed by the Planning Board and the City Council. As such, staff is recommending the acceptance of the dedication of the Rights-of-Way as depicted on the proposed Subdivision Plat.

**Public Works – LED Lighting** Sanderson told the Council that he drafted a letter to Norabochi to be signed by the Mayor, which essentially restated what the Council’s position was at the last meeting. He stated that Norabochi needs to 1) secure the necessary ratings and certifications from NorthWestern Energy 2) NorthWestern Energy then needs to give the City a rate schedule for electricity and maintenance so contracts can be obtained that are beneficial to the City. He said the ball is now in Norabochi’s court. They need to get the system certified by NorthWestern Energy before this project can move forward.

**Other Public Works Items** Mayor Roat said the meter change out is going well and the crew is finding leaking water lines. There have been some differences in some meters with the outside readout and the meter itself.

Mahan said there will be good information on the sewer ponds in January and February because the system will be up and running better then. More solid information will be obtained then.

Mahan stated that Boyer brought to the committees attention that during the Christmas Stroll the signage used for the closure was incomplete. Mahan said this will be pursued for any further street closure requests. She said the City needs to make sure that everything used is accurate and in line for what MDT would require.

Mahan said she spoke to Boyer regarding the clearing of slush and snow especially in front of the library, the County Administrative building and City Hall. The public accesses these public buildings more often. She asked him to try and have these areas as clear as possible and is sure this will be done.

**CITIZEN REPORT** None

**CORRESPONDENCE** None

**MISCELLANEOUS** Priest thanked staff, Mayor and Council and told all how much he has learned from them and how much he has enjoyed his years on the Council. Kennicott returned her Roberts Rules of Order to Mahan and thanked her for the use of it and told her to pass it on to the next person sitting in her chair.

Meeting adjourned at 7:45 p.m.

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Mayor

ATTEST:

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City Clerk