

February 23, 2010

The Red Lodge City Council met in regular session on February 23, 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 Aldermen Priest entered the meeting at 7:05 p.m.

MINUTES OF FEBRUARY 9 Motion by Mahan, second by Labrie to approve the minutes of February 9 as corrected. On roll call vote all Aldermen present voted "Aye." Motion carried.

Kennicott added under MISCELLANEOUS "Kennicott asked about the status of the collection process for the delinquent submissions noted on the Resort tax report dated January 2010. Mayor Roat said that letters had been prepared for collection."

COMMENTS FROM PUBLIC None

SPECIAL COMMITTEE None

STANDING COMMITTEE – Administration – City Relationship with Red Lodge Area Economic Development Corporation Kampfe reported to the Council that there would be no action taken on this topic at this meeting. Kampfe said that after the Administration Committee reviewed the relationship with the EDC they are happy to leave things as they are. They are not prepared at the present time to sever the City's relationship with EDC. He said one important relationship is the work that EDC does with the HOME funds that are being used to help people with down payments on homes. Things are working well with the program so there is no action to be taken. Mayor Roat asked if the agreement with EDC needs to be renewed but Kampfe said the committee felt again that no action needs to be taken.

Julie Jones has been the program manager with the HOME funding and Mayor Roat reported that she will be required by new federal rules to become a licensed mortgage broker. Jones told the Mayor she is more than willing to do so and will be getting this done soon.

Listing with Heather Quinn – Cooper Lots Motion by Kampfe, second by Labrie to approve the extension of the listing of the Cooper Lots with Heather Quinn and Prudential Red Lodge Real Estate through June 1, 2010. On roll call vote all Aldermen present voted "Aye." Motion carried.

Joint Airport Board Agreement with Carbon County The present agreement with the County was created in 1980. Mayor Roat said if everyone feels the agreement is still fine then no changes need to be made. The Council decided that the agreement needs to be reviewed. The current members of the board are the three County Commissioners, Bob Lindeke, Lonnie Sanford, Willis Coffman, Darrell Lowe and Ken Lake as he is the Airport Manager. Kennicott said the agreement speaks to all actions being taken by the City and County but she commented that she has seen nothing come to the City in the way of decisions being made since she has been on the Council. She said the agreement speaks to the land being County and City but she thought all of the Airport land was in City ownership and asked if this was correct. She also said that she has never seen a budget submitted by the board nor the year-end report. Her comment was that if these items are no longer necessary than the agreement should be revised to show this. Priest was asked to take these questions to the next Airport Board meeting for discussion.

Kampfe said the Administration Committee will review the agreement so if anyone has thoughts or concerns they should give them to a committee member. Recommendations will then come to the Council. Priest said it would be a good idea to have an inventory done on the wells and septic tanks that

are currently at the airport. Structures should perhaps also be included in this inventory. A list of leases would also be a good idea so the Council knows what is in place at the airport.

Proposed Resort Tax Ordinance Kampfe said the Administration Committee reviewed the changes that have been discussed on the proposed Resort Tax Ordinance. The committee feels they have a final draft for this ordinance. It will come to the Council and be on the agenda for first reading at the next Council meeting. The committee said they tried very hard to incorporate the comments made by the Resort Tax Review Committee into the proposed ordinance. Mayor Roat wants this proposed ordinance to be reviewed by the City Attorney and when he has given his approval it can then come to the Council as a whole on first reading.

Smoking in City Parks Kampfe told the Council that an ordinance regarding smoking in public parks and outdoor recreational facilities in the City would be coming to the Council. The committee is concerned with the areas that would be used more by children such as the skateboard park. This ordinance will be used to ban smoking in these designated areas. Mayor Roat asked the committee, since they will be checking on ordinances in other communities, to also check into marijuana sale shops. The Mayor is not sure what communities can do in regard to this issue. Sanderson said that most communities are looking at their zoning ordinances to regulate the medical marijuana sales. Sanderson said that currently the only zoning district that would allow these sales is the Central Business District. He said this issue would be considered in detail in the upcoming 2010 update of the zoning ordinance.

Emergency and Police Services – Appointment to the Police Commission Mayor Roat said the City has received many letters of interest regarding serving on the Police Commission. All these letters of interest will be given to the Council to review. The Mayor said that Ron Kotar has been faithfully serving on this commission for several years and he will consider Kotar a hold over. The commission will then need two more appointments to be a full commission. The Mayor would like the Emergency and Police Services Committee to bring a recommendation to the Council at the next meeting for the two needed appointments.

**Resolution No. 3301 – Budgetary Authority – JAG Grant for Police Dept.
BUDGETARY AUTHORITY RESOLUTION**

RESOLUTION NO. 3301

WHEREAS, the City of Red Lodge received from Carbon County funds in the amount of \$5,000 for FY-2010 for use in the operations of the Red Lodge Police Department, for which no provision was made in fiscal 2009-2010 City budget. These funds were given to the City of Red Lodge as a split from a JAG Grant received by the Carbon County Sheriff’s Office;

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 \$5,000 and directs the City Clerk to allocate said amount to the following programs and objects.

<u>Revenue Code</u>		<u>Amount</u>
1000-331024		\$5,000

<u>Expenditure Code</u>	<u>Object of Expense</u>	<u>Amount</u>
1000-420100-940	Capital Outlay	\$5,000

BE IT FURTHER RESOLVED that the above appropriation shall become effective on February 23, 2010.

Motion by Kennicott, second by Richter to approve Resolution No. 3301-Budgetary Authority-JAG Grant. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Kennicott said the committee has received a new and updated job description for the Deputy Police Chief position. This will be reviewed. Chief Pringle said he has received two applications for the police reserves. A background check is being done on these individuals. Kennicott reminded all of the training that is being sponsored by DSVS. This training is Rural Response to Domestic Violence given by a Supervising Deputy Sheriff from Minnesota.

Kennicott reported that Continuity of Government (COG) is a required part of the EOP with an annex prepared by incorporated cities and towns to include a succession of office plans and alternate facilities. Barb Beck or Darrel Krum will be forwarding a template to Mayors. Charlie Hanson of DES will approve the EOP before it is sent to others. He is very impressed by the work being done and feels that it will be a strong example for others to follow. The next meeting of the LEPC will be March 16, at 1:00 p.m. at the Fire Hall.

Kennicott mentioned that the Mayor and she spoke at length regarding the letter from the Mayor to the CCN. She said she was not sure whether the Mayor was in support of the effort but was reminded that he has indeed signed the petition. She said that although Chief Kuntz' statements in the press may not have been what the Mayor preferred they conveyed fairly accurately what the Council has been saying over the last year. For that reason she wanted to say that she supports Chief Kuntz' statements because they reflect Council discussions.

An Ambulance District Committee was appointed, consisting of Labrie, Priest and Chief Kuntz and they have met several times with the County Commissioners on the proposed ambulance district. The City voted on June 9, 2009 to adopt Resolution No. 3285, which creates an ambulance district. These meetings with the Commissioners are working toward the goal of permanent and equitable funding for the ambulance service from the people who get the benefit. It has been stated in previous Council meetings that the people and the Commissioners need to know that the level of service was at risk as there is no legal mandate that there be an ambulance service and people served outside the city limits may not have service after July 1, 2010. Kennicott said that she does not know if she will be able to approve a budget for the upcoming year that lets the citizens of Red Lodge foot the bill for those served outside the city limits.

Discussion was held at the meeting regarding an Interlocal Agreement that is needed between Rural Fire District and the City to ensure that the volunteers are covered for Workers Compensation with MMIA. They also discussed an Interlocal Agreement that is needed between the City and the County to manage Search and Rescue for the Sheriff's Office.

Mayor Roat said that in no case would the City be without ambulance service. He just wanted the issues explained to the public and the ramifications of decreased expenditures and service. The citizens need to be educated so they can make a reasonable decision. The timing of this district is of the essence as the new budget year is approaching. The Commissioners can put this issue on the ballot for a vote of the people or they have the ability of forming the district themselves.

Priest said he feels the City needs to give the Commissioners a letter asking them to take a stand and to ask them specifically to form this ambulance district. Mayor Roat said he feels they will do something but if it is to be placed on the ballot it needs to be done in June. Mayor Roat also said that he pointed out the problems of the ambulance service to the hospital, that they also use vastly, and what help they perhaps could give the service.

Land Use and Planning – Mayoral/Council Appointments to the Planning Board and Zoning Commission Sanderson reported to the Council who currently is on the Planning Board. These members are Alderman Mahan, Dan Gainer, Mike Schoenike and Marie Olson. Five people submitted

letters of interest to fill the three appointments that need to be made on the Planning Board. Jeff DiBenedetto currently is on the board and would like to be reappointed. The others who have shown an interest are Christine Jackson, Sandy Conlee, Ed Williams and Neil Carver. Two of the three appointments to be made are Mayoral appointments. Mayor Roat appointed Jeff DiBenedetto to continue serving on the Planning Board for another term. The Mayor appointed Christine Jackson to fill the second Mayoral appointment on the Planning Board. Both of these Mayoral appointments are for a two-year term.

Motion by Labrie, second by Mahan to appoint Sandy Conlee to finish out the remainder of the term vacated by Lynn Jackson until March 2011. On roll call vote all Aldermen present voted "Aye." Motion carried.

Priest asked that when the letters are sent to people who showed an interest in serving on City boards if it could be mentioned that an opening could be made available on the Parks Board. Priest said his wife enjoys sitting on this board but if someone would like to take her place she has other places that she serves and need her attentions. She will not leave the board unless another appointment can be made.

Cooper Lots Purchase Sanderson said the City has received the quitclaim deeds showing exclusive City ownership of the four Cooper Lots.

Floodplain Regulations Sanderson said the Red Lodge Planning Board is conducting a public hearing February 24, 2010 to discuss potential amendments to the Red Lodge Floodplain Regulations. This will not affect the floodplain map as it was done by FEMA. The regulations are the text of what can and cannot be done in the floodplain area.

Public Works – Report on Automated Meter Reading Acquisition Sam Painter said that replacing or retro fitting the City's water meters could be completed as part of an energy performance contract. Mahan said the position of the committee is that this expenditure has been approved and the Public Works Director has given assurance that the project will be completed within a two-year time frame. Mahan said the information from the new automated meters would give valuable information such as detecting leaks and information that is now obtained by hand or not at all. It is a superior system being used in several communities in Montana. The City crew will be doing the installation of the new meters.

Kampfe asked the committee if the Council could have an overview of the entire cost of this project. He asked if they could also have a run down of the savings by installing the new automated meters. He would like to see more details.

Priest maintains the City needs to go out for bids on these new meters. He said he feels that the City has previously only received pricelists from companies that sell these meters. Mayor Roat told Priest to call the City Attorney and discuss his questions.

CITIZEN COMMENTS Jen Nelson, member of the Red Lodge Lodging and Merchants Association, gave the Council an update on what the group has been doing. She said the group feels that Red Lodge is being overlooked in marketing and they are putting more pressure on Yellowstone Country for the use of the bed tax that is paid by this community. Yellowstone Country gave a good presentation of what is happening with tourism in our area.

CORRESPONDENCE Mayor Roat said the Carbon County Historic Preservation Commission needs a representative that is appointed by the City. The Mayor said an ad would go into the paper looking for anyone who would be interested in sitting on the commission. If any of the Council members would be interested in serving they should let the Mayor know.

The Council received a letter from the hospital that was in response to a meeting the Mayor had with Kelley Evans and John Toler regarding the $\frac{3}{4}$ access on Highway 212 into the hospital south of Two Mile Bridge. This is a give and take situation because the City wants Hauser Ave. to end on Highway 212 in this area. The hospital disregarded the City's request for this when they built the hospital. However there is an area where this can be done now if the hospital keeps this in mind when they want the full access to turn north on 212.

The Mayor wrote to MDOT and set up a meeting on what is going to be done and what is not going to be done in the future on Highway 212. He said they would also be discussing the east and west side right-of-way lines. He is not sure MDOT has ever established these lines. Discussion was held on these boundary lines as Brenda Martin said she had some information from Sanderson/Stewart.

MISCELLANEOUS None

Meeting adjourned at 8:40 p.m.

Mayor

ATTEST:

City Clerk