

February 24, 2009

The Red Lodge City Council met in regular session on February 24, 2009 at 7:00 p.m. The meeting was called to order by Mayor Scanlin followed by the Pledge of Allegiance to the Flag.

ROLL CALL OF OFFICERS Present: Mayor Scanlin, Aldermen Mahan, Richter, Labrie, Kennicott and Priest. Absent: Alderman Kampfe.

MINUTES OF FEBRUARY 10 Motion by Mahan, second by Labrie to approve the minutes of February 10 as corrected. On roll call vote all Aldermen present voted "Aye." Motion carried.

The following correction was made to the minutes under the topic Remote Water Reading System. "The Mayor said this purchase could cost as much as \$450,000. She said the City would obtain a lot of water use **data** that **would** generate **more** revenue and this system could free up half the time of a full time employee."

SPECIAL COMMITTEE None

STANDING COMMITTEES – Administration – Amendment to Red Lodge Management Plan & Deed Restrictions – HOME Program Mayor Scanlin said the City has two deed restrictions. One includes the HOME requirements and one does not. It is the HOME contract Management Plan that needs to be corrected tonight if the Council agrees. It was stated that the item not at issue this evening is the deed restrictions that speak to home equity sharing if HOME funds are not involved. This can be discussed at a future time.

Motion by Priest, second by Mahan for approval of the corrections made to the HOME Program Management Plan. On roll call vote all Aldermen present voted "Aye." Motion carried.

Priest was concerned with the responsibilities that are listed regarding the HOME funds but feels the City does not have the tools needed. Julie Jones said that she will do a lot of this work as a sub-contractor. She said after the project is completed the City will need to keep the affordability periods. There will be some yearly reports that the Clerk will have to make to the HOME program. The City has previously used HOME funds so most of the reporting is currently or has previously been done by the City. Priest is concerned that the documents are confusing to him and he needs some assurances. He just does not want this program to end up costing the City a lot of money. Mayor Scanlin stated that the security with the HOME Program funds is the house itself that is built or purchased. The City would foreclose on the house if necessary and not lose anything.

Annie Austin told the Council that she and her husband are purchasing a home in Red Lodge using HOME Program funds to assist in the purchase. She said they are more than willing to help get the information out to the public and help with further education, to the public and Council, so other people will come forward to use these funds. The Affordable Housing Committee will also help with this project to make sure it goes forward as smoothly as possible.

Affordable Housing – Cooper Lots Update Jody Ronning said the Affordable Housing Committee is working very hard to get out the information regarding the HOME Program funds and the Cooper Lots. She said that currently there are two families looking to purchase homes with the HOME funds. The committee would like to hold a seminar to get out the information on the HOME funds as the amount available for an applicant is \$70,000. Priest said he would be favorable to holding a discussion on the difference of equity sharing in a home and deed restrictions. He said he feels the City should not be in

competition with HOME when it comes to the Cooper Lots and perhaps it is more prudent for the City to adopt the same guidelines when dealing with both programs.

Budget Resolution No. 3275 – Mountain Springs Villa
BUDGETARY AUTHORITY RESOLUTION
RESOLUTION NO. 3275

WHEREAS, on April 29, 2008, the *City of Red Lodge* received Montana Community Development Block Grant funds in the amount of \$450,000, for the Mountain Springs Villa Project in Red Lodge, Contract No. CDBG-6201305007, for which no provision was made in fiscal 2008/9 City budget; 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 \$450,000 and directs the City Clerk to allocate said amount to the following programs and objects:

Expenditure Code	Object of Expense	Admin. Costs	Activity Costs
430230-350	Personal Services	\$ 29,400	
430230-360	Site Work		\$345,000
430230-370	Other:Relocation Costs		\$75,600
TOTALS		\$ 29,400	\$420,600

Motion by Priest, second by Mahan to adopt Resolution No. 3275, Community Development Block Grant for funds in the amount of \$450,000 for Mountain Springs Villa. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Kennicott said the resolution did not state that the funds were for the Mountain Springs Villa Project and she felt this should be inserted into the resolution. It was agreed that Mountain Springs Villa and the contract number would be included in the resolution.

Mountain Springs Villa – Pre-Bid Conference Julie Jones told the Council that eleven contractors attended the pre-bid conference held on Mountain Springs Villa on February 17, 2009. She said this would afford a good amount of competition, which is helpful to any project. She said the bids are due March 6, 2009. It was discussed to present the bid in two phases but Jones said that CDBG is not agreeable to this concept. CDBG does not want two separate contractors. She said she hopes the bids come back in line with the budget.

Emergency and Police Services Kennicott said the committee met this afternoon, February 24. Kennicott said the new name for Fire/EMS is now Red Lodge Fire/Rescue. She said they had a busy weekend with 4 calls for service on Friday and 9 calls on Saturday with 4 ambulances in service at once with Joliet on mutual aid standby. She reported the EMS roster is 53 volunteers and the Fire roster is 44 volunteers. She said these are record numbers. A first responder class for firefighters is being held with 5 people taking the class.

Kennicott said a single ambulance district was discussed and that Kuntz will be forwarding a draft of possible scenarios to start the discussion. This should be seen as a “public safety improvement” to provide adequate service to the County and the City and will likely mean a tax increase for some. Kuntz suggested forming a committee with representatives from the Council(Admin and Emergency Services) Fire/Rescue and volunteers, Rural Fire Board, Police, etc.

Kennicott reported that Chief Pringle would not likely be able to attend the Police Conference in July due to the 4th and the Beartooth Rally. The Chief is looking to get three officers into some training that is being held in Billings. A Police Academy Rep is coming to town May 6, 2009, for review, recap and interaction with schools. Kuntz has offered to hold incident command training, which is required in order for the City to get public safety grants.

Kennicott said the fire hall gym facility should be ready in the next two months and that Police officers were welcome to use it. Chief Pringle has suggested having a fitness program set up and Kuntz mentioned to him that Steve Mikels will be doing that for the firefighters and EMS and could do so for the Police Department as well.

During the committee meeting Chief Pringle said that street closure applications have started coming into the City. He and Chief Kuntz said they would like to have the applications put in their boxes two weeks before they are to be reviewed by Council to give adequate time to consider them in case either Chief was out of town. They said they are not signing that they approve the application because there is no criteria set up for them to sign off on. Rather they are acknowledging they know about the closure. They suggested changing the form to add space under their signature and state "The Fire Chief or Police Chief has reviewed and recommends approval with the following conditions:" and add lines for them to insert any comments/conditions.

Kennicott said there was a mishap on a banner that was recently put up on the south side of town regarding "reading" that was falling down. The Police did not know who was responsible for the banner. The Fire Department helped them take the rest of the banner down. Sanderson said the Council approved three locations where banners could be hung. There are two locations on the north side of town and one on the south side. Sanderson said none of these locations are viable any longer either due to the power company not allowing the use of the poles that the banners were attached to or by private property owners where tie bolts have been pulled out of bricks. Until the Council finds a place for banners to be hung they will no longer be approved.

There was a court date set for the ticket issued on the illegal dumping for February 12, 2009. Kennicott reported that no one appeared in court. It will be followed up with the Judge to see what transpired with this ticket.

Mayor Scanlin said that training would be held with the Police officers on May 6 for public communication skills and use of authority.

Land Use and Planning – Subdivision Regulations Sanderson said that State subdivision law has tripled in size since 1973. He said there are five different ways a person could potentially fall under local regulations. All five of these different processes that are afforded to people need to be addressed in the subdivision regulations. The subdivision regulations must be adopted in order to implement the Growth Policy.

Floodplain Regulations Lindsay Johnson is currently in training to become a floodplain administrator. She is beginning to draft the floodplain regulations.

Appointment To Planning Board – Lynn Jackson and Michael Schoenike The terms held by Lynn Jackson and Michael Schoenike are expiring. These positions have been posted to the public and letters of interest were received from these two incumbents. It is the recommendation of the Mayor to appoint both of them to fill another term on the board.

Motion by Mahan, second by Labrie to reappoint Lynn Jackson and Michael Schoenike to the Planning Board. On roll call vote all Aldermen present voted "Aye." Motion carried.

Use of City Property – Rodeo Grounds R-O-W – Beartooth Rally Sanderson said a component of this application was missing and that he had called the applicant to let him know what more needs to be done. Signatures are required by the surrounding property owners to show they have been notified of the use. When this is completed this application will come back to the Council.

Open Container Request – Use of City Property – Arts in the Beartooth Notification of the adjacent property owners was not included in the application. It was discussed that the use of the property request is for more than one day due to setup so an additional \$100 will be needed with the application.

Motion by Mahan, second by Labrie to table this application until a completed application is submitted. On roll call vote all Aldermen present voted "Aye." Motion carried.

Regarding the use of City owned property, Kennicott reminded of previous minutes (6/12/07) stating that the City Attorney and MMIA recommended that the City enter into a lease agreement for use of the rodeo grounds for camping during the Beartooth Rally. This was discussed in Council meetings last year and wording was incorporated into Ordinance #871, paragraph 6b, adopted by the Council on 9/23/08. It could be treated as a rental rather than a fee basis if the council prefers to use that method.

Use of City Property – Street Closure – Farmers Market The Farmers Market is requesting the street closure of 12th Street between Broadway and Oakes Ave. every Saturday from July 11, 2009 until October 3, 2009. The street will be closed from 8:00 a.m. to 12:00 p.m. each Saturday. The Farmers Market is checking into getting their own special event insurance for this function. The applicant is requesting a waiver of the applicable fees for the use of the property.

Motion by Mahan, second by Labrie to approve the request for the street closure by the Farmers Market. On roll call vote all Aldermen present voted "Aye." Motion carried.

The Council discussed the waiver of the applicable use fees. It was decided to pro-rate the fee based on a 24-hour use period of \$100 with the request being for four hours each Saturday. The Council agreed on \$200 for the season.

Amendment to motion by Kennicott, second by Richter to make a pro-rated payment of \$200 for the season for the Farmers Market. On roll call vote all Aldermen present voted "Aye." Motion carried.

Use of City Owned Property – Street Closure – 13th Street Between Broadway and Platt – 4th of July – Blue Ribbon and Snow Creek This request is to close 13th Street from Broadway to the east side of the alley on July 3, July 4 and July 5, 2009. The closure request is from 12:00 p.m. to 12:00 a.m. There was discussion on the open container request but the application for this was not included in the packet. It was asked if the street closure request be from 2:00 p.m. to midnight and the answer was that it would be alright to start the closure at 2:00 p.m. It was suggested that a certified letter be mailed to property owners if they cannot be found for a signature of notice. The open container request will need to come back to the Council at the next meeting, which is March 10, 2009. The music will play from 7:00 p.m. to midnight.

Motion by Mahan, second by Labrie to approve the application for the use of City owned property for the 4th of July street dance for the dates of July 3, 4th and 5th, with alcohol being served between 2:00 p.m. to midnight. On roll call vote all Aldermen present voted "Aye." Motion carried.

Public Works – Remote Water Reading System Sanderson said they are in the process of the second revision of the draft RFP for the remote water reading system. When this is completed it will be given to HKM Dowl to make sure it is neutral and complying with the State procurement process. HKM Dowl will also review the technical specifications to make sure the City will be getting what they need. Once this review is completed it will come back to the City for committee review and then go out to the companies that would be able to respond.

Re-roof City Hall Sanderson told the Council that three bids were received and opened for the proposed re-roofing of City Hall. One of the bids was pulled due to workers compensation costs. These bids will go to the appropriate committee for consideration.

CITIZEN REPORT Denise Greenwalt, representing Beartooth Harley Davidson, said they are willing to help in any way they can for the summer and the motorcycles that will be coming to town. They appreciate the consideration that needs to be given for the noise that is generated by motorcycles.

Marie Olson suggested that a public service could be done on redlodge.com to let the public know what is happening and what needs to be accomplished throughout the summer.

Mayor Scanlin reminded all of the new ordinance the City adopted regarding exhibition driving. This ordinance will be enforced. During discussion it was brought up that it would be nice if the public were informed of the rules and laws then they would know what to expect before coming to town. It was discussed if websites may be the way this could be handled. The public needs to be educated for the whole summer season.

OLD BUSINESS – Resort Tax Review Committee The opening for the Resort Tax Review Committee will be posted so a committee can be formed for review of the resort tax.

Weed Control Kennicott asked about weed control and the County. Mayor Scanlin said she e-mailed the commissioners but has not received an answer regarding weed control within the city limits of Red Lodge. She said the City is trying to get its share of weed control tax money spent within the City limits. We need to get the same service as the County does regarding weed control.

Budget Meeting An orientation meeting will be held for the Council regarding the budget process. Sanderson will give the Council a draft agenda for this meeting at the March 10 meeting for the Council to review. They can then decide how much time will be needed and when they would like to hold the meeting.

NEW BUSINESS Mayor Scanlin said a public meeting will be held March 4, 2009 at 6:00 p.m. at the Pollard regarding the stimulus funds. The idea of this meeting is to embrace all the ideas coming forth for these funds and get mutual support. The City has made requests for infrastructure funding. There are many categories for these funds.

Library Liaison The Mayor asked if anyone would like to be the liaison on the Library Board. If any of the Council has an interest they should let the Mayor know.

CORRESPONDENCE Jerry Underwood has submitted his letter of resignation from the Library Board. This opening will be posted so hopefully an appointment can be made at the next meeting.

MISCELLANEOUS None

Meeting adjourned at 9:10 p.m.

Mayor

ATTEST:

City Clerk