

July 8, 2008

The City Council met to hold a public hearing for the fiscal year 2008-2009 preliminary budget. The public hearing was held at 6:30 p.m. on July 8, 2008. This public hearing was noticed in the Carbon County News, at City Hall and the Post Office. John Mance was the only person in attendance at the public hearing. He spoke to the issue of hoping to see funding in the recycling section of Solid Waste. He feels this is very important and needs to be adequately funded. The Council addressed issues with the upcoming fiscal year budget. Acting Mayor Mahan closed the public hearing at 7:00 p.m.

The Red Lodge City Council met in regular session on July 8, 2008 at 7:00 p.m. The meeting was called to order by Acting Mayor Mahan followed by the Pledge of Allegiance to the Flag.

Mahan said the first order of business for this meeting is the filling of the vacancy left in Ward Two by the resignation of David Stauffer. Mahan said she would like to appoint Maryvette Labrie to fill this vacancy as Labrie submitted a letter of interest to the Council.

Motion by Priest, second by Kampfe to appoint Maryvette Labrie to fill the vacancy left by David Stauffer in Ward Two. On roll call vote all Aldermen present voted "Aye." Motion carried.

Mahan gave the oath of office to Maryvette Labrie for her seat in Ward Two on the Red Lodge City Council.

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

MINUTES OF JUNE 10 Motion by Kampfe, second by Mahan to approve the minutes of June 10 as presented. On roll call vote those in favor: Alderman Kampfe and Mahan. Those that abstained: Aldermen Lockman, Labrie and Priest. Motion failed.

CLAIMS AGAINST THE CITY Motion by Kampfe, second by Priest that claims against the City totaling \$429,737.04 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 submitted for payment this month. There were claims presented that involved the 2007 Water Rehab Project which were \$253,564 to COP Construction and \$54,723 to HKM Engineering. HKM Engineering also had another claim against the City totaling \$4005 for the Highway 212 water line extension north of town. The air conditioning that is being installed in the library was \$5127 this month. Kampfe said there was also a bill for the library for \$405 for the yearly subscription to New York Times. There was also a claim for \$3000 for radio and miscellaneous equipment to outfit the 2008 Ford Tahoe.

OFFICERS REPORTS The officer reports were approved by the Council as submitted.

SPECIAL COMMITTEE None

STANDING COMMITTEES – Administration – Resolution No. 3260 – FY 08-09 Preliminary Budget

RESOLUTION NO. 3260

A RESOLUTION OF THE CITY OF RED LODGE, MONTANA APPROVING AND ADOPTING THE PRELIMINARY BUDGET FOR FISCAL YEAR 2008-2009, AS PROPOSED BY THE RED LODGE CITY COUNCIL ON JULY 8, 2008.

Motion by Kampfe, second by Lockman to table Resolution No. 3260. On roll call vote all Aldermen present voted "Aye." Motion carried.

Sanderson said it would be wise to table this Resolution to a specific date.

Amendment to motion by Kampfe, second by Lockman to table Resolution No. 3260 until the July 22 meeting. On roll call vote all Aldermen present voted "Aye." Motion carried.

Kampfe said the budget is very complex and it is felt that more discussion is needed so the Council would like to wait until the next meeting to address the resolution dealing with the preliminary budget. Priest said he has a problem passing a preliminary budget with a large spending authority in the Enterprise Funds without it first being discussed. The Council agreed they need to meet on Thursday, July 17, 2008 at 5:30 p.m. at City Hall. Department heads will be asked to attend this budget session.

Resolution No. 3258 – Capital Improvements Plan

**RESOLUTION NO. 3258
RED LODGE CITY COUNCIL**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF RED LODGE TO ADOPT THE 2008 RED LODGE CAPITAL IMPROVEMENT PLAN.

WHEREAS, the Red Lodge City Council identified the need to develop a comprehensive Capital Improvement spending plan for the City, and;

WHEREAS, the Red Lodge Community Development Department at the direction of the Mayor and City Council prepared and released a request for proposals and statement of qualifications for the preparation of a Capital Improvements Plan, and;

WHEREAS, the City Council selected Morrison and Maierle Engineering/Beck Consulting as the most qualified partnership to prepare the Capital Improvements Plan for the City of Red Lodge, and;

WHEREAS, the Red Lodge City Council has conducted two public meetings to solicit comments on proposed capital improvement projects, and;

WHEREAS, Morrison and Maierle Engineering/Beck Consulting have prepared and submitted a final draft of the Capital Improvements Plan for consideration and approval by the City Council.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Red Lodge, Montana to adopt Resolution No. 3258 to adopt the Capital Improvements Plan for the City of Red Lodge.

Motion by Kampfe, second by Lockman to approve Resolution No. 3258 to adopt the 2008 Red Lodge Capital Improvement Plan. On roll call vote all Aldermen present voted "Aye." Motion carried.

Large Events Committee Priest told the Council that the committees course of action is to get together with Sam Painter and Kent Young via a phone call to get this discussed and see the best direction to travel with the Large Event Ordinance.

Police and Emergency Services – Hire Part-time Officer – Greg Srock Lockman said that Mr. Srock is currently a reserve officer and will do a good job for the Police Department as a part-time officer.

Motion by Lockman, second by Kampfe to hire Greg Srock as a part-time police officer. On roll call vote all Aldermen present voted "Aye." Motion carried.

Interlocal Dispatch Agreement – Carbon County Sheriff The fees for dispatch services have not changed from the 07-08 agreement the City has with the Sheriff Office.

Motion by Lockman, second by Kampfe to approve the Interlocal Dispatch Agreement with the Carbon County Sheriff. On roll call vote all Aldermen present voted "Aye." Motion carried.

**Land Use and Planning – Resolution No. 3259 – Adopt 2008 Growth Policy
RESOLUTION NO. 3259**

RED LODGE CITY COUNCIL

A Resolution by the City Council of the City of Red Lodge to adopt the 2008 Red Lodge Growth Policy.

Mahan said the Mayor has asked the Council to table this Resolution so there would be more time to include the new information that has been received.

Motion by Kampfe, second by Lockman to table Resolution No. 3259 adoption of the 2008 Growth Policy. On roll call vote all Aldermen present voted "No." Motion failed.

Amendment to motion by Kampfe, second by Lockman to table this item until the July 22 meeting. On roll call vote all Aldermen present voted "Aye." Motion carried.

Priest said he would like to have some discussion items now and then have an on-line red line copy of the incorporated changes with a document to approve at the July 22 meeting.

Motion by Kampfe, second by Lockman to direct the Planning Department to integrate comments from the public and other agencies into the Growth Policy for submission at the July 22 meeting. On roll call vote all Aldermen present voted "Aye." Motion carried.

Sanderson said he would e-mail the Council with all recent comments and what they feel should be done, whether incorporated or not. If the Council approves of this they can then approve or disapprove the Growth Policy at the July 22 meeting.

Kampfe brought up a comment from Heather Quinn in regard to zoning of a house off Highway 78 between the High bug District and the Golf Course. Her request is to change the area zoning to Light Commercial. Kampfe said he is highly against this change as he feels there are serious traffic safety issues along Highway 78 in this area. He feels the change to Light Commercial would bring even more traffic to this hillside. All Council agreed with this so it is now off the table and will not be incorporated.

Several comments given dealt with Wild Urban Interface. The Planning Department will bring these thoughts into the Growth Policy for the Council to review. There are also maps that can be put into the Policy regarding Wild Urban Interface.

One of the comments spoke to stopping the concept of short-term residential rentals and making them long-term rentals. Priest said he is comfortable with the language in the Policy the way it is. He is not comfortable with the idea of stopping short-term rentals. The other Council members feel the way the Policy has presently been written will be what they would like to see remain.

Priest also said he liked the idea of the comment that was made to make a leash free dog park. It is unknown at the present time where this could or would be done. It should not be stated that this is something that must be done but rather something to be considered in the future.

Gretchen Arndt would like to see a distinction made between home occupation and a professional business in the High Bug district. Sanderson said the zoning of the area will speak to this and take care of the problem as long as the current zoning remains. Priest asked that the distinction be made between the two different types of business.

Snow plowing was discussed and it is felt this does not belong in a Growth Policy but rather should be discussed in the ordinance pertaining to streets.

In the housing section some items were discussed and changed due to the fact that it was felt there is no data to support some of the comments.

There are eight maps that will accompany the Growth Policy. Kampfe thanked everyone who worked on this Growth Policy; the public, the Planning Board, Sanderson and Johnson. Everyone did such an excellent job in putting this Policy together.

Spires at Red Lodge Amend Subdivision Improvement Agreement – Consider Warranty Bond for Improvements Sanderson said the SIA ties the developer specifically to the financing and warranty sections of the Red Lodge Development Code. These sections require the developer to provide the City with an escrow account or letter of credit with a balance of 25% of the initial construction estimates until such time that the improvements have been inspected, certified and accepted by the City Council. What the developer is proposing is that the SIA be amended to allow for the developer to substitute a Maintenance Bond of equal value to the cash the City would hold under the letter of credit till the improvements have been inspected, certified and accepted. Numerous jurisdictions in the State allow for the substitution of bonds to provide a warranty of work rather than retaining cash. The City Attorney has reviewed the amended SIA and finds it provides what the City requires.

Sanderson said he suggests the Mayor and Council review the approved SIA, the draft amendment and the proposed maintenance bond prior to the July 22 meeting. Sanderson said the fact of the matter is that a properly constructed bond is equivalent to an insurance policy with the sole beneficiary being the City. The advantage being that the developer can free up working capital without exposing the City to any risk.

Public Works – Diamond C Links Sign on City Land in Exchange for Work on the Mausoleum

Mahan said the committee was unable to meet with Corey Cabral and they have no paper work to explain what exactly is being proposed. When they have something concrete they will come back to the Council.

Motion by Priest, second by Lockman to approve Diamond C Links proposal to exchange City for work on the mausoleum. On roll call vote all Aldermen present voted “No.” Motion failed.

Diamond C Links Easement Expansion on Dedicated Parkland Sanderson said the City Attorney has reviewed the request from Diamond C Links for the easement expansion on dedicated parkland. Painter suggested three conditions. 1) amend the subdivision plat reflecting the larger easement and record it, 2) record the easement, and 3) amend the Homeowners Association documents to reflect the ongoing maintenance and record these as well. Painter recommends that in the record of decision the City spell out all of the conditions recommended by the Parks Board as well as his three conditions.

Motion by Lockman, second by Priest to approve the Diamond C Links easement enlargement request with four conditions as follows: 1) approve the conditions recommended by the Parks Board on June 20, 2) amend and record the plat, 3) record the easement, and 4) amend the Homeowner Associations documents with regard to maintenance and record them. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Sewer Connections Lot 3A – Beartooth Commercial Park Sanderson told the Council that Leon Baranko has requested to withdraw his proposal for seven additional City sewer hookups. Baranko said that with rescinding this proposal he wishes to keep his right to protest annexation.

Water Rehab Project Sanderson said the first major leak has been found in the project that is currently being done. This leak has been repaired and hopefully the City will see a reduction in the current lose of water.

CITIZEN REPORT Trish Nix-Jackson reported to the Council on the Affordable Housing Committee. They said advertising is being done for the available lots in the newspaper and TV. Three new applications have been received. She said someone would attend all upcoming Council meetings with information updates.

OLD BUSINESS None

NEW BUSINESS - Festival of Nations – Open Container Request The Festival of Nations will be holding the event again this year in Lions Park on August 2nd and 3rd. The Festival Board is formally requesting an open container permit for this event. Notification has been given to the surrounding neighborhood of the upcoming event. The public restrooms on the east side of the park will be utilized.

Motion by Kampfe, second by Lockman to approve the open container request made by the Festival of Nations for August 2nd and 3rd in Lions Park from 12:00 p.m. to 9:00 p.m. On roll call vote all Aldermen present voted “Aye.” Motion carried.

CORRESPONDENCE None

MISCELLANEOUS Lockman told Mahan that she did a wonderful job on the July 4th parade and thanked her and all who helped for another successful July 4th event. Mahan said that next year will be the 80th anniversary of the Home of Champions Rodeo and will be a special year.

Priest said he spent July 5th taking some readings with a sound level meter. He said he will continue taking measurements throughout town during the summer to see what the levels are.

Meeting adjourned at 8:55 p.m.

Mayor

ATTEST:

City Clerk