

June 27, 2006

The Red Lodge City Council met at 6:00 p.m. to listen to a presentation from Montana DOT and Kadramas, Lee and Jackson regarding the Corridor Study north of Red Lodge. Design options were presented for this project. A review was given of the design options that were presented at the March 28, 2003 Alignment and Grade Review meeting as well as an update on the proposed design shown in the preliminary environmental assessment. After the Council has had a chance to review the design options the MDOT will need a formal written recommendation from the City on the desired design option by no later than August 1, 2006.

Following are the segments that are a part of this project connected with the City of Red Lodge.

Segment 1 – 8th Street to 5th Street

Segment 2 – 5th Street to Two Mile Bridge Road

One of the items discussed in segment one was sidewalks. This shows five-foot sidewalks on both sides of the street. There was discussion on the possibility of a bike lane in this segment. The staircase on the east side of the library will have to be removed but is in a conceptual mode right now. The removal of the staircase would improve the sight distance at this intersection. In this area was the concept of closing the road on Oakes Ave. between the library and the Arts Guild or perhaps making it a one-way street.

Discussion was held on the intersection of Highway 78 and Highway 212. Several alternatives were discussed for this intersection along with a discussion on the idea of a roundabout being considered at this intersection. KLJ did a traffic analysis on a roundabout and found it had a better liable surface than a signalized intersection with less congestion. KLJ analysis indicated a roundabout would eliminate the need for a future traffic signal and would be more cost effective than a signalized intersection.

The Red Lodge City Council met in regular session on June 27, 2006 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 Bullock, Mahan, Lockman, Stauffer, Scanlin and Reynolds. Absent: None.

MINUTES OF JUNE 13 Motion by Stauffer, second by Reynolds to approve the minutes of June 13 as read. On roll call vote all Aldermen present voted “Aye.” Motion carried.

CLAIMS AGAINST THE CITY Scanlin reported the claims totaled \$190,794.50. Scanlin said that to date about \$92,000 has been spent on the public restroom. The auditing committee recommends that the Mayor be directed to ask the Chamber of Commerce to begin some payments of their obligation to the historic street lights as stated in the contract.

Motion by Scanlin, second by Reynolds that claims against the City 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.

SPECIAL COMMITTEES None

STANDING COMMITTEE – Administration None

Police and Emergency Services None

Land Use and Planning – 810 N. Broadway – Conditions of Sale – Ron Wolfe The City has an agreement with the Chevrolet dealership stating that the land would be used for a dealership exclusively but due to the fact of economics being what they are, the potential for the building to be used as something else is important and Mr. Wolfe is asking for the condition to be removed.

Motion by Mahan, second by Reynolds to approve the request from Ron Wolfe to change the requirement to keep this property as an automobile dealership. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Resolution No. 3217 – Annexation Policy

RESOLUTION NO. 3217

A RESOLUTION OF THE CITY COUNCIL ADOPTING ANNEXATION POLICIES FOR THE CITY OF RED LODGE TO GUIDE THE CITY’S ANNEXATION OF PROPERTY INTO THE CITY OF RED LODGE.

WHEREAS, the City of Red Lodge has previously entered into annexation agreements and has received further applications and inquiries regarding the possibility of annexation; and

WHEREAS, the City of Red Lodge is subject to specific statutory requirements regarding annexation of land, including but not limited to M.C.A. §7-2-4201 *et seq.*; and

WHEREAS, the City has previously adopted the Red Lodge City Growth Policy (May 2001) and received citizen input on the annexation issue from time to time, however, no thorough and/or cohesive set of policies dealing specifically with annexation currently exist or have been adopted by the City; and

WHEREAS, the City Planner and other City staff, have consulted and worked with the City Planning Commission, which received public comment on draft annexation policies for a proposed planning area; and

WHEREAS, the Red Lodge City Council has received documents, information, and the recommendations from the City Planner and the City Planning Commission, and has reviewed the draft annexation policies for a proposed planning area.

NOW THEREFORE, BE IT RESOLVED:

1. The City Council hereby adopts and approves the “City of Red Lodge Annexation Policy” attached hereto and made a part of this resolution for the proposed Planning Area, also attached and made a part of this Resolution.
2. That these policies immediately supercede and otherwise replace any policies and current or past practices, which have historically been used to guide the annexation process for the City of Red Lodge.
3. That these policies do not supercede, breach or conflict with any existing agreements previously entered into by the City, the City Code, the City Charter or other Montana statutory mandates.

Motion by Reynolds, second by Mahan to adopt Resolution No. 3127 with the updated draft dated June 27, 2006. On roll call vote those in favor: Aldermen Bullock, Mahan, Lockman, Stauffer and Reynolds. Those opposed: Alderman Scanlin.

Scanlin had some concerns about the time frames listed in the policy. Some of the areas are said to be annexed in time frames that are not consistent with prior Council action such as the area noted as Remington Ranch. Moore said the time frames are just intents. Scanlin would prefer not to have a policy in place that goes against prior intent of the Council.

Scanlin is concerned with capacity of water and sewer regarding annexation and development. She would prefer the City have a time limit on development in regard to water and sewer.

Moore feels this policy should be implemented through the Rules and Regulations Governing Water and Wastewater.

Lockman feels annexing would give the City a say in how areas are developed and she feels this is important.

Amendment to motion by Stauffer and second by Lockman to amend the motion to change the ten year period shown at the extreme far west of the planning area map which includes Remington Ranch from ten years to five years. On roll call vote all Aldermen present voted "Aye." Motion carried.

Boundary Re-Adjustment – John Clark Motion by Reynolds, second by Mahan to table this item. On roll call vote all Aldermen present voted "Aye." Motion carried.

Reynolds said the Land Use Committee would like to enter into an agreement with Mr. Clark similar to the one the City signed with Rod and Donna Bastian on Oaks Street. This would allow Mr. Clark to encroach on City property unless the building were torn down or sold and then the City would get their property back.

Appoint City Planner as Flood Plain Administrator Brent Moore was asked to take on this responsibility and he said he would but that it would take additional education. The Council said they need to look at ways to help support Moore in his job.

Motion by Reynolds, second by Mahan to appoint Brent Moore as Flood Plain Administrator. On roll call vote those in favor: Aldermen Mahan, Lockman, Stauffer, Scanlin and Reynolds. Those opposed: Alderman Bullock. Motion carried.

Scanlin said she would prefer to have an engineer do this work as she feels Moore has very much work to do as it is. Stauffer feels this belongs under the planning department but that someone could be contracted to do the work.

Rosebud Estates Final Plat Approval Moore said that all conditions placed upon Rosebud Estates have been met to the best of the applicant's ability. Moore said according to the Development Code the Council shall review the proposed final plat for compliance with the Red Lodge Master Plan, this code, state statutes and any conditions of approval of the subdivision permit. Approval of a final plat does not constitute or imply approval of any prospective use of any lot created.

Motion by Reynolds, second by Stauffer to approve the final plat application of Rosebud Estates. On roll call vote those in favor: Aldermen Bullock, Mahan, Lockman, Stauffer and Reynolds. Those opposed: Alderman Scanlin. Motion carried.

Scanlin feels the calculations used to determine how much should be paid by a developer in lieu of sidewalks should be reviewed before any more requests come before the City.

Appointment of Impact Fee Advisory Committee Following is a list of people who would be willing to serve on the Impact Fee Advisory Committee, Loren Culp, John Prinkki, Curt Wyss, Brent Moore, Skip Boyer, Tom Kuntz, George Clow, Corey Cabral, Mike Keys, Anna Hoffman and Dan Seifert.

Motion by Reynolds, second by Mahan to approve the appointments to the Impact Fee Advisory Committee. On roll call vote all Aldermen present voted "Aye." Motion carried.

Development Code Revisions Update City Planner Moore said the planning department is making progress in addressing comments from the City's land use attorney and hope to have a copy of the draft code available for review at the next meeting. He said he plans to the first reading of the ordinance at the July 25th meeting with second reading being at the August 8th meeting. One additional item that has been brought to his attention is that the code currently requires 150% letter of credit to satisfy infrastructure requirements in new developments in order for a final plat to be granted. According to both our civil attorney and the land use attorney this requirement is overly burdensome to a developer. Moore said most jurisdictions in Montana require 125% letter of credit. This is the amount of credit issued in the Island at Rock Creek project. Most of the Council agrees to this and gave direction to the planner.

Public Works Mayor Roat said the pump at Coal Miners Park has given up the job. The school has no well at the football field as of yet. The school said they have been paying the upkeep costs on the well at Coal Miners Park. The Mayor asked the school to keep the City updated on any costs with the well.

Mayor Roat said the street lights have to be adjusted for proper illumination. Larry Yung will be helping with this. The City crew will be taking out the bases of the old, removed streetlights. Don Kinney said that Northwestern Energy would reimburse the City for these costs.

CITIZEN REPORT Barbara Miller commented on the courteous attitude of two of the police officers and the help he gave her family when their taillights were out on their rental car.

OLD BUSINESS – Use of City Property – Farmers Market A request was made to use 12th Street between Red Lodge Drug and Pride Park from Broadway to the alley for the Farmer's Market. This request is for Saturdays starting July 22 to September 30, 06. The road will be used from 8:00 a.m. to noon. The sponsoring organization is Beartooth RC&D.

Motion by Mahan, second by Reynolds to approve the request made for the Farmer's Market. On roll call vote all Aldermen present voted "Aye." Motion carried.

Street Closure – R.L. Area Community Foundation The R.L. Area Community Foundation is planning its third annual Red Lodge Fun Run for Charities on September 2, 2006. They are asking permission for the closure of Highway 212 from 7th street to 17th Street from 8:30 a.m. to 10:00 a.m. As directed by the MDOT they will set up a detour off Broadway one block east to Platt Ave. and back again. The course will be manned with race marshals at every intersection to ensure safety for the participants, pedestrians and drivers.

Motion by Mahan, second by Reynolds to approve the request from the R.L Area Community Foundation to have the R.L. Fun Run for Charities on September 2, closure of the Highway from 7th Street to 17th Street from 8:30 a.m. to 10:00 a.m. On roll call vote all Aldermen present voted "Aye." Motion carried.

Program Income Plan – HOME Funds Motion by Reynolds, second by Bullock to table the Program Income Plan at this time. On roll call vote all Aldermen present voted "Aye." Motion carried.

NEW BUSINESS – Open Container Request – Festival of Nations The Festival of Nations will again be holding this year’s event at Lions Park, August 4th to 6th. The Festival Board would like to formally request an open container permit for the event and road closure of North Oakes Ave. between the public library and the Carbon County Arts Guild.

Motion by Reynolds, second by Mahan to approve the Festival of Nations open container request of August 4th – 6th. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Resolution No. 3216 - Authorize RTP Grant Application

RESOLUTION NO. 3216

A RESOLUTION TO IMPLEMENT THE CITY’S COMPREHENSIVE TRAILS PLAN BY AUTHORIZING AN APPLICATION FOR RTP FUNDING.

WHEREAS, the Red Lodge City Council previously authorized funding to develop a comprehensive trails plan (“the Trails Plan”), entered into a contract for services for this project (approved at Resolution 3205) and has adopted the Plan; and

WHEREAS, the participants in this project, including members of the public, the City’s Park Board, the Red Lodge Planning Commission, the City’s Public Works Department and Carbon County officials have all worked to authorize funding for trails and other park improvements to complement trails to serve this community; and

WHEREAS, the Trails Plan, as adopted, needs to be implemented with the support and continuing involvement of the participants already involved in this process; and

WHEREAS, the Montana Fish, Wildlife and Parks has a funding opportunity through its Recreational Trails Program (“RTP”) up to \$35,000.00 with a 20% match required (\$7,000), which could be used to implement the Trails Plan.

NOW THEREFORE, BE IT RESOLVED:

1. The City Council resolves to authorize the City to apply for funding to implement the City’s Trail Plan under the Montana Recreational Trails Program (“RTP”); and
2. The City Council commits to budget monies, not to exceed \$7,000, for this grant application in its annul budget to implement this Plan assure progress toward its completion in FY 2007.

Motion by Reynolds, second by Mahan to approve Resolution No. 3216. On roll call vote those in favor: Aldermen Mahan, Lockman, Stauffer, Scanlin and Reynolds. Those opposed: Alderman Bullock. Motion carried.

Stauffer asked who else would be putting up funds and how much would be given. Brent Moore said the Red Lodge Community Foundation had applied for a \$15,000 grant to put a trail around Lions Park that was not given to them so they do not have funding available to help. Sam Hoffmann said he would give \$5000 to help. Hoffmann’s help is being done on good faith. The County has funding they have dedicated in the past for projects. Moore feels it might be appropriate to set up a task force particularly for Lions Park to take a detailed look at all the funding opportunities. The City would need to budget \$7000 for the 20 percent match on this program.

Resolution No. 3218 – Apply for Preserve America Program Funds – Arts Guild

RESOLUTION NO. 3218

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR PRESERVE AMERICA PROGRAM FUNDING AS A PRESERVE AMERICA COMMUNITY TO COMPLETE PLANS TO REBUILD THE SECOND FLOOR OF THE ARTS GUILD BUILDING

(DEPOT); AND TO SUPPORT THE CARBON COUNTY PRESERVATION COMMISSION'S APPLICATION TO FUND PLANS FOR A NEW HISTORIC WALKING TOUR OF RED LODGE.

WHEREAS, Preserve America is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior and the U.S. Department of Commerce; and

WHEREAS, the City Council authorized application to be recognized as a Preserve America Community pursuant to Resolution No. 3218 and was subsequently selected for inclusion in this program; and

WHEREAS, the State of Montana applied for and received funding from the Preserve America Program, which it has offered to recognized Preserve America communities and Certified Local Governments ("CLG") communities like the Carbon County Historic Preservation Commission ("Commission") for planning projects; and

WHEREAS, the Carbon County Arts Guild intends to rebuild the second floor of the old depot building and needs approximately \$25,000 to ensure plans for this project are responsive to the Guild's needs for space, adequately conform to the original plans of the building and conform to the Secretary of Interior's Standards for construction in order to maintain the status of the building as a recognized Historic Landmark;

NOW THEREFORE;

BE IT RESOLVED, the City Council for the City of Red Lodge authorizes application to the Preserve America program funding offered by the State of Montana for plans to reconstruct the second floor of the Arts Guild building (depot); the project to be known as the "Depot Expansion and Renovation Project"; and

BE IT FINALLY RESOLVED, the City Council directs the Mayor to budget match money required to fund this project. The total project cost is expected to be no more than \$25,000 for which the City authorizes match money in the amount of \$12,500.

Motion by Reynolds, second by Mahan to approve Resolution No. 3218. Discussion was held on the motion before roll call was taken. On roll call vote those in favor: Aldermen Mahan and Reynolds. Those opposed: Aldermen Bullock, Lockman, Stauffer and Scanlin. Motion failed.

This funding would be used for a feasibility study for design on the Arts Guild. It would also be used for a walking tour of the historic area. No one from the Arts Guild was in attendance to speak to the resolution. The Historical Society has indicated an interest in the City helping to support an application to have a walking tour program set up through the society. This would be a \$12,500 match by the City.

Lockman does not feel the City has the funds for these projects. Scanlin said this has never been a discussed priority by the City and has not been in budget discussions.

CORRESPONDENCE Mayor Roat said the City crew dug up and cut an emergency power cable line in the alley behind the old Courthouse building while doing the work on the streetlights. The County put the line in but did not notify the City of its existence nor did they ask permission to put the line in the City right-of-way. Red Lodge Electric did the repair work and Mayor Roat has given this bill to the County asking them to pay.

MISCELLANEOUS None

Meeting adjourned at 9:10 p.m.

Mayor

ATTEST:

City Clerk