

March 28, 2006

The Red Lodge City Council met in regular session on March 28, 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 MARCH 14 Motion by Reynolds, second by Stauffer to approve the minutes of March 14. On roll call vote all Aldermen present voted "Aye." Motion carried.

SPECIAL COMMITTEES Reynolds told the Council that she attended the Red Lodge Airport Board meeting. She told the Council that she contacted Beartooth Insurance to have the City listed on the insurance coverage for the airport. When this is done Beartooth Insurance will send the City a copy.

Lockman reported that she attended an annual board training in Billings for Beartooth RC&D. She said it was very productive. The next meeting for RC&D will be in May and held in Red Lodge. She said she would send everyone a reminder with the date if they would like to attend.

STANDING COMMITTEES – Administration – Appointment of Building Official – Tim Swansborough Mayor Roat said the City is required by code to appoint a building official. He asked for the Council to concur with his appointment of Tim Swansborough as the Building Official.

Motion by Reynolds, second by Mahan that the Council concurs with the appointment of Tim Swansborough as the Building Official. On roll call vote all Aldermen present voted "Aye." Motion carried.

Police and Emergency Services Lockman said the committee has met with the Fire and Ambulance Department to start reviewing next years budget. Rotation of vehicles was discussed. It was said that department heads will be meeting to discuss a capital improvement plan that would include vehicles. The committee will speak with the County to see if it is possible for them to contribute more funds to run the ambulance department.

Land Use and Planning – R.L. Affordable Housing – Request for Land on Copper Ave. Motion by Reynolds, second by Mahan to direct the Land Use Committee to research this request for land on Cooper Ave. by the Affordable Housing group. On roll call vote all Aldermen present voted "Aye." Motion carried.

The property being discussed is located at the end of Cooper Ave. with Charlie Siddle owning five lots directly across the street. Mr. Siddle has taken his five lots off the market for the next 90 days so Affordable Housing can look into the possibility of purchasing the lots. If the City were to donate the land it could be looked at as an "in kind" donation making it an acceptable match for various grants including but not limited to CDBG. These lots would actually be providing the monies needed for the infrastructure. As the individual loans are funded, a portion of that total loan will go back to the City to refund the cost of streets and the like.

The plan is to build eight to ten homes keeping the total cost for the families at or around \$120,000. The USDA funding will assist in keeping them affordable as the payment for such a home will be in the \$500-\$700 range including taxes and insurance. Modular homes are currently being looked at also. Also single-family homes are being looked at as the survey reflected that most people preferred single-family homes.

Scanlin commented about what was key to her. She said she would like the committee to discuss keeping all of the lots restricted and to keep them affordable for the next generation, as developable lots are scarce. She also feels the development code could be modified to accommodate affordable housing with things like smaller lots. The affordable housing group said that both of these concerns are also their concerns and being addressed by the committee.

Tom Akins, Area Director Rural Development, was at the meeting as he had met with the Affordable Housing Committee on what they could do to help with this project. Rural Development could also help with the infrastructure.

Public Works Mayor Roat said the street light project is under way. The canopy at Ray Judd Ford is in the way and the driveway at Bone Daddy's is in the line of where the lights were to be placed. The light can be moved slightly at Bone Daddy's so it is not in the driveway but something will need to be worked out with Ray Judd regarding his canopy.

The 110-volt circuit for the utility outlets on the poles has been eliminated. The Chamber of Commerce has eliminated this as the cost was from \$32,000 to \$37,000. The cost was too high so it has come out of the project. Northwestern Energy will install the conduits for the low voltage to have the junction boxes available in case it is ever decided to have them run in.

CITIZEN REPORT Estelle Tafoya said an e-mail was received from the selection committee on the Main Street Program application stating that the Red Lodge presentation was outstanding. The City is competing with Polson and Anaconda for the two available positions. Laura Getz said that EDC went to Helena with support from 69 businesses that will be willing to help if Red Lodge is selected.

OLD BUSINESS – Carbon Conservation District Appointment – Joe LeFebvre Motion by Reynolds, second by Mahan to appoint Joe LeFebvre to the Carbon Conservation District. On roll call vote all Aldermen present voted "Aye." Motion carried.

Resolution No. 3212 – Wind Power Project "CREBS" The first expense to come out of this Resolution will be the \$500 for the submittal of the application. The rest of the amount listed, \$2500, will be used to pay expenses as they are presented to the Council.

RESOLUTION NO. 3212

A RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING FROM A QUALIFIED PROJECT FOR THE ISSUANCE OF BONDS PURSUANT TO SECTION 54(d)(2)(A) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS: The City of Red Lodge ("City"), intends to acquire, construct and equip a clean renewable energy project ("the Project") that constitutes a qualified project as defined in Section 54(d)(2)(A) of the Internal Revenue Code of 1986, as amended ("the Code"); and

WHEREAS: plans for the Project have advanced and the City expects to advance its own funds to pay expenditures related to the Project (“the Expenditures”) prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of a clean renewable energy bond as defined in Section 54(d)(1) of the Code (“CREB”).

Now therefore:

BE IT RESOLVED: The City intends to utilize the proceeds of CREBs or to incur other debt, in an amount not currently determined, but no more than necessary and appropriate to pay costs of the Project in an amount not to exceed **\$2,500.00**; and

BE IT RESOLVED: The City intends that the proceeds of the CREBs be used to reimburse the City for Expenditures with respect to the Project made on or after the date that is no more than 60 days prior to the date of this Resolution. The City reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the CREBs or other debt; and

BE IT RESOLVED: The City intends to make a reimbursement allocation, which is a written allocation by the City that evidences the City’s use of proceeds of the CREBs to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which the Expenditure is paid; and

BE IT RESOLVED: The City intends that the adoption of this resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Code.

Motion by Reynolds, second by Mahan to approve Resolution No. 3212 and to authorize the submittal of the application. On roll call vote all Aldermen present voted “Aye.” Motion carried.

The Mayor said the County might be interested in a joint venture on this project so a meeting will be held.

NEW BUSINESS – Open Container Request – Concert in Park Motion by Lockman, second by Reynolds to approve the request made by Bridge Creek. On roll call vote those in favor: Aldermen Mahan, Lockman, Stauffer, Scanlin and Reynolds. Those opposed: Alderman Bullock. Motion carried.

This request is for July 30 and will be held in Lions Park. Lockman said she wanted to be sure that the City actually gets notification that the neighbors are told of the doings that will be held that day, especially the music. Discussion was also held on the insurance papers not stating the exact location of this function. The City is named as additional insured on the policy.

Amendment of motion by Lockman, second by Reynolds to make approval contingent upon reviewing the ordinance, notification of neighbors and that the insurance policy include the location of the event as part of additional insured. On roll call vote those in favor: Aldermen Mahan, Lockman, Stauffer, Scanlin and Reynolds. Those opposed: Alderman Bullock. Motion carried.

Open Container – Oktoberfest Motion by Bullock, second by Reynolds to approve this request with the same contingencies of the previous motion. On roll call vote those in favor: Aldermen Mahan, Lockman, Stauffer, Scanlin and Reynolds. Those opposed: Alderman Bullock. Motion carried.

Mahan asked why the music at this event was going until 11:00 p.m. instead of 10:00 p.m. Others felt that a 10:00 p.m. cut off was more appropriate for a residential neighborhood.

Amendment to motion by Scanlin, second by Reynolds to limit the hours of music to 3:00 p.m. to 10:00 p.m. On roll call vote all Aldermen present voted "Aye." Motion carried.

CORRESPONDENCE Lockman read the Council a letter from Pat LaCrosse, mother of Sylvan LaCrosse, winner of the Citizen of the Year Award at the Boys and Girls Club Celebration of Youth event. She thanked the Council for being involved in this event and sponsoring a youth.

Mayor Roat has concerns with the Beartooth Pass being opened in a timely fashion. The Mayor will be visiting with the Mayor of Cody to see if Wyoming can plow their side of the road instead of having the Park Service do the work. The Park Service has a limited budget.

MISCELLANEOUS None

Meeting adjourned at 8:10 p.m.

Mayor

ATTEST:

City Clerk

Correction in the minutes made at the April 11, 2006 meeting.