

May 23, 2006

The Red Lodge City Council met in regular session on May 23, 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, Scanlin and Reynolds. Absent: Aldermen Lockman and Stauffer.

MINUTES OF MAY 9 Motion by Mahan, second by Reynolds to approve the minutes of May 9 as read. On roll call vote all Aldermen present voted "Aye." Motion carried.

SPECIAL COMMITTEES None

STANDING COMMITTEES – Administration None

Police and Emergency Services Mayor Roat told the Council that the Police have given a proposal they would like to be considered regarding the street closures connected with the Iron Horse Rodeo. They would like to have the owners of the requests pay for the extra police protection that will be required for these closures. The Mayor asked the Council to review this material and see if it is something they would like to incorporate into these closures.

Land Use and Planning – Resolution 3214 – Trails Plan

RESOLUTION NO. 3214

A RESOLUTION BY THE RED LODGE CITY COUNCIL CREATING A COMPREHENSIVE TRAILS PLAN FOR THE CITY OF RED LODGE.

WHEREAS, the Red Lodge City Council previously authorized funding to develop a comprehensive trails plan ("the plan"), entered into a contract for services for this project (approved at Resolution 3205) and has been advised and consulted throughout up-to-and-including a report on the Plan itself; and

WHEREAS, the public has been involved throughout this process and participated at every level, with good publicity before and after each public meeting and ample opportunity for interested parties and stakeholders in this project to voice their opinions and provide informed input; and

WHEREAS, the Red Lodge Planning Commission and the City's Public Works Department participated in this process throughout, and Carbon County officials were advised and informed of this project. The Carbon County Board of County Commissioners received a briefing on the project during the process; and

WHEREAS, this Plan was presented and reviewed by the City's Park Board, which is now recommending the plan be adopted and implemented with the support and continuing involvement of the Park Board; and

WHEREAS, the Council is presented with a comprehensive concept plan for a trails system being recommended by the Parks Board with priorities, standards and proposed routes; all provided in accordance with the requirements set forth in the City request for proposals and contract for services; and

WHEREAS, the Council's intent to have property owners who may be impacted by a particular trail prior to construction to be fully informed of plans for that trail, and for the City to secure the permission and cooperation of individual property owners who might be impacted by this Plan before final approval of any particular trail to initiate funding or construction for that trail.

NOW THEREFORE, BE IT RESOLVED:

1. The City Council resolves that the comprehensive trails plan submitted by Tom Kohley and his associates, and as reviewed and recommended by the City's Park Board be used to create a system of trails for this community; said document to be known as "The City of Red Lodge Comprehensive Trails Plan";
2. The City Council resolves to have City departments use this Plan to guide future development and planning for the City; and
3. The Council recognizes the proposed trail system extends across both public and private lands. Private land owner easements have not been obtained and trails crossing private property may or may not be realized. Easements and rights-of-way that permit public trails to cross private lands will need to be negotiated on an individual basis with the needs and wishes of the land owners given foremost consideration; and
4. The City is to use its best efforts to include funding in its annual budget to implement this Plan and assure progress toward its completion.

Motion by Reynolds, second by Mahan to approve Resolution No. 3214. On roll call vote all Aldermen present voted "Aye." Motion carried.

This plan is a good blueprint but is not binding. It allows the City to have some continuity between projects.

Moose Trails Playground The Mayor told the Council that the playground supervisory committee has turned the playground over to People for Playgrounds. There is a punch list that will have to be done. When the punch list has been completed some action will be taken to turn the park over to the City.

Board of Adjustments Reynolds said the Land Use and Planning Committee, along with Brent Moore, will meet with the BOA to discuss the possibility of disbanding the Board.

Public Works – Landfill Use Agreement – City of Billings There were no changes made from last year's agreement in the Landfill Use Agreement with the City of Billings.

Motion by Mahan, second by Scanlin to the approve the Landfill Use Agreement with the City of Billings. On roll call vote all Aldermen present voted "Aye." Motion carried.

CITIZEN REPORT Deb Muth told the Council that the resolution for the trails plan was needed so the Parks Board can apply for recreational trail grants. She said a grant has previously been received but the implementation of the project now needs to be completed. The grant is for a trail down to Rock Creek from Coal Miner's Park. Muth said the first week of August would be good for the construction of this trail so the Montana Conservation Crew could be used. This group has been used before and do a good job. The Parks Board would like to have Tom Kohley supervise this project for the trail.

Muth said the Red Lodge Area Community Foundation has applied for a grant to put a trail in Lions Park. This needs to be supported by the City. It would be a segment of the proposed overall trail plan. She also asked the Council to consider what could be budgeted each year to complete a segment of this master trail plan.

OLD BUSINESS None

NEW BUSINESS – Street Closure – Greg Zieler Mr. Zieler asked the Council to postpone this request until the next Council meeting.

Motion by Reynolds, second by Mahan to table the request of a street closure by Greg Zieler until the next Council meeting. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Scanlin said she would like the cost of the extra police officers to be pursued before this request comes back to the Council. The Mayor said the Council could incorporate this police suggestion into the request if they choose as part of the approval process. It was also suggested that it might be time to discuss a more appropriate place to hold this event like at the rodeo grounds.

Use of City Property – Leo Wilson – Iron Horse Rodeo Mr. Wilson asked the Council to postpone this request until the next Council meeting.

Motion by Reynolds, second by Mahan to table the request of use of City property by Leo Wilson until the next Council meeting. On roll call vote all Aldermen present voted “Aye.” Motion carried.

It was discussed that it may be a good idea to also request Mr. Wilson pay for police protection at his camping area. It was felt that the best idea is to use police officers for this area also. The same insurance policy is being used for the Wilson and Zieler request so it will be checked out to make sure this is appropriate.

Use of City Property – Rodeo Association The Red Lodge Rodeo Association is requesting parking space next to Pride Park to facilitate in the sale of Rodeo tickets during July 2nd, 3rd, and 4th. They would like to place a four-horse trailer near the intersection of Pride Park and Main Street.

The request is being made per the City ordinance 6-1-4 which allows for paying for reserved parking space. It was stated that this ordinance is to allow for reserved parking for patrons of a business not so someone can conduct business in this spot. The cost would be either \$1 or \$2 per lineal foot based on the number of hours the trailer would be parked in the location. Discussion was held on whether or not to use this ordinance or the use of city property ordinance for this request. As the Rodeo Association is not-for-profit there would be no fees involved in the request to use city property.

Motion by Mahan, second by Reynolds to approve the request made by the Red Lodge Rodeo Association. On roll call vote those in favor: Aldermen Bullock and Mahan. Those opposed: Aldermen Scanlin and Reynolds. Motion failed.

Tree Trimming – Parks Board Deb Muth from the Parks Board told the Council that the present budget had \$1500 to be used for tree trimming. The City has also received a \$400 Arbor Day Grant with a match of \$140 that will be used for tree trimming. The tree trimming company of Advance Arbor Care gave the Parks Board a bid of \$5000 to trim the 53 trees in Field School Park. She stated that the \$2040 can be used for this project but an additional \$2960 would be needed to complete the trimming. It was discussed that the funds could come from Resort Tax to complete this project. Muth was told to get a contract that will need to be reviewed by the City Attorney, the company will have to show proof of workers compensation coverage and buy a City business license.

Appointment to Yellowstone Country Board of Directors – Denise Parsons Motion by Mahan, second by Reynolds to re-appoint Denise Parsons to the Yellowstone Country Board of Directors. On voice vote all Aldermen present voted “Aye.” Motion carried.

Ordinance No. 865 – Incorporating Amendments to State Building Codes – first reading
ORDINANCE NO. 865

AN ORDINANCE AMENDING THE RED LODGE CITY OCDE INCORPORATING AMENDMENTS TO THE STATES’S BUILDING CODES ACCORDING TO MAR NOTICE #24-301-191 BY REFERENCE.

WHEREAS: The State of Montana has notified the Red Lodge Building Department of certain amendments to the State’s Administrative Rules; and

WHEREAS: The Red Lodge Building Department and the City of Red Lodge is required to conform its actions to State requirements by incorporating certain technical codes according to M.C.A. 7-5-4202; and

Now therefore:

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA:

The Red Lodge City Code is hereby amended in those parts set forth below to read as follows:

Section 9-1-1: **ADOPTION:**

- A. Amendments to the International Building Code as provided by the Administrative Rules of Montana (ARM), sections 24301.146 and amendments to the International Energy Conservation Code (IECC) as provided by ARM 24.301.161, effective February 24, 2006.

Section 9-1-3: **AGREEMENT TO COMPLY:**

In conformance with M.C.A. 7-5-4202, a permittee, as a condition to an application submitted for issuance of a building permit, agrees to be bound by the provisions of all building codes adopted by the State of Montana and adopted by reference by the City of Red Lodge in Section 9-1-1 of the Red Lodge City Code.

Be it ordained by the Council members of the City of Red Lodge.

Motion by Reynolds, second by Mahan to approve Ordinance No. 865 on first reading. On roll call vote all Aldermen present voted “Aye.” Motion carried.

CORRESPONDENCE Chief Pringle has been communicating with the Home Owners Association at Country Club Estates regarding the possible need for some traffic control signs. He gave the association a list of the stop or yield signs he feels are needed and asked for comments and suggestions from the group.

MISCELLANEOUS A copy of the insurance for the airport was sent to the City. The policy shows that the City is listed as an insured entity.

Mahan told the Council that she would be absent from the June 13 meeting.

Mahan gave the Council information on the festivities for the opening of the Beartooth Highway this coming weekend. Mayor Roat said a meeting was held regarding the plowing of the highway. He said there are no funds to plow the road next spring. Something will need to be worked out before then to make sure the road is plowed. Letters can be written to legislatures.

Meeting adjourned at 8:20 p.m.

Mayor

ATTEST:

City Clerk