

September 11, 2012

The Red Lodge City Council met in regular session on September 11, 2012, 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 Mahan, Richter, Labrie, Schoenike and Williams.
Absent: None.

DEPARTMENT HEAD ATTENDANCE: Community Development Director – Forrest Sanderson, City Clerk – Debbie Tomicich and James Caniglia – City Planner.

MINUTES OF AUGUST 28 Motion by Mahan, second by Labrie to approve the minutes of August 28 as submitted. On roll call vote all Aldermen present voted “Aye.” Motion carried.

MINUTES OF BOA MEETING AUGUST 28 Motion by Mahan, second by Labrie to approve the minutes of the August 28 BOA meeting as submitted. On roll call vote all Board members present voted “Aye.” Motion carried.

MINUTES OF AUGUST 30, 2012 Motion by Mahan, second by Labrie to approve the minutes of August 30 as submitted. On roll call vote those in favor: Aldermen Mahan, Richter, Labrie and Williams. Those abstaining: Alderman Schoenike. Motion carried.

CLAIMS AGAINST THE CITY Motion by Labrie, second by Williams that claims against the City totaling \$129,612.40 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.

Labrie commented that this month there were not a lot of high bills. She reported on the claim from Great West Engineering for \$26,892.08 which was submitted for the Broadway Ave. water rehab project and is for mapping the start of the project.

OFFICERS REPORTS The officer’s reports were presented to the Council for their review.

COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS Bill Foisy said he would like to speak to agenda items 9.d.4 & 5 – Construction Agreement – MDT Highway 78 – Brewery Hill to 212 and Brewery Hill Northwest. Foisy said that as a board member he is representing Beartooth Recreational Trails Association. Foisy said he would like to stress the importance of the design standards for this project. He is speaking of the design standards that accommodate bicycles and pedestrians on this corridor. He said that given the design standards are very flexible he said it is important to understand how wide it is and to make sure there are pedestrian crossings. Foisy said it is very important, since MDT has already stated they would not be able to accommodate a separate trail or a separate sidewalk down Brewery Hill. Foisy said that BRTA would like to write a letter to MDT to state their concerns regarding the design standards and the width of the shoulder of the road for pedestrians. Mayor Roat said the City encourages BRTA to write a letter of concerns to MDT.

SPECIAL COMMITTEES – Moment of Silence – Victims and Families of 9/11/01 Terror Attacks Mayor Roat asked all in attendance to give a moment of silence in memory of the victims and families of the 9/11 disaster.

TBID Committee Report There was no one in attendance at the meeting to give this report.

PUBLIC HEARING – Red Lodge Alliance Chapel Mayor Roat opened the public hearing for the Conditional Use Permit for the Red Lodge Alliance Chapel. James Caniglia, City Planner, said the Council is looking at the Red Lodge Conditional Use #12-3 for the Red Lodge Alliance Chapel. Mayor Roat asked the Council if they have any ex-parte communication on this matter to disclose. They answered that they did not. Mayor Roat asked if any member felt they needed to recuse themselves from participation in the hearing and decision on the matter before the Council. He was told they did not. Sanderson said the authority for the Council to take action is found in the Red Lodge Zoning Regulations and the Council is specifically authorized by the Zoning Regulations to hear and decide all matters that pertain to

Conditional Use Permits. Sanderson said that in the Zoning Regulations there are a very specific set of findings of fact that the Council must adopt before they issue the Conditional Use Permit. Typically these findings of fact also point out mitigations that the Council must consider prior to issuance of any Conditional Use Permit and the requirement for Board action is a four vote majority. Mayor Roat asked if the matter has been properly noticed as required by the Red Lodge Zoning Regulations. He was told the matter has been publicly noticed at the Library, the Post Office, at City Hall and through the Carbon County News. Mayor Roat said to let the record indicate that Red Lodge City Council has been called and qualified to hear the matter at hand, that the matter is quasi-judicial in nature, and has been properly noticed.

Rev. Bryan Loewen, said the Alliance Chapel has changed the design of the building since the request was first submitted to the Planning Board. He said the building will fit the area with reverse parking. The building will be kept to the historical setting of the area.

Caniglia spoke to the report on the request on behalf of the City. Caniglia said the Red Lodge Alliance Chapel is proposing a 4,400 square foot addition to their southern building within the Red Lodge C-3 Zoning District. The smaller building located on the northern portion of their lot would be razed in order to accommodate the addition. The building addition would be 4,400 square feet and bring the building to a total size of 6,560 square feet.

The property is described as S34,T07S, R20E, COS 473 Amended less Tract A COS 388 2nd Amended, Carbon County, Montana. The property is located on the west side of South Broadway Avenue between Hauser and Adams Avenues. The physical address of the property is 905 South Broadway. Design Review was approved by the Planning Board. The Conditional Use Permit, use greater than 2,000 square feet in size is decided by the City Council.

The proposed development appears to be in general compliance with the Red Lodge Growth Policy. Classic strip development and sprawl are not being proposed. Reverse frontage is required of all new development and expansion to existing structures. 100% of the lot outside of the required setbacks and vegetative requirements may be covered with impervious surfaces. The Growth Policy also requires that we “protect residential neighborhoods from potential nuisances like excessive and persistent noise, excessive light, safety hazards and commercial impacts.”

Caniglia said the property will need to have six over story trees. The applicant shows seven trees on their site plan, but there is no indication as to their size. The applicant should submit a landscape plan before a construction permit is issued as condition #11 and #12 both speak to landscaping.

All infrastructures are installed and there are no proposed increases of usage. Water and sewer lines that lead to the property from 19th Street are privately owned and shared between Alliance Chapel and residents of Buettner Park as well as Fountain Park Condominiums. Concerns regarding the usage of the privately owned water and sewer lines are issues that need to be addressed between the users of the privately owned infrastructure. Caniglia said condition #21 that has been given to the Council has been received from the City Attorney. This condition has to do with the private water issue.

The property will see a modest increase of storm water runoff due to a decrease of permeable surface. The project engineer has performed the design calculations and sizing for the storm water management and filtration system. The system will be expanded to meet 100-year, 24-hour storms. The design of the storm water filtration system will need to be approved by the Public Works Director prior to installation. DEQ will also need to approve the storm water filtration system and the engineers will need to assure that the system will hold up. The developers, their heirs, successors and assigns will need to insure the perpetual maintenance of the storm water filtration and discharge system.

Caniglia addressed the Conditional Use requests along with stating how many findings and conclusions there were per topic.

- A. Consistency with Growth Policy – four findings in support and six conclusions.
- B. Compatibility – four findings in support and two conclusions.
- C. Minimize Adverse Impact – three findings in support and two conclusions.
- D. Minimized Adverse Environmental Impact – one finding in support and one conclusion.
- E. Impact of Public Facilities and Services – three findings in support and one conclusion.
- F. Hazard, Nuisance – two findings in support and one conclusion.
- G. Other Codes – one finding in support and one conclusion.

- H. Runs with the Land – two findings in support and three conclusions.
- I. Expiration, Discontinuance or Abandonment – one finding in support and two conclusions.

The project is not located within a recognized historic district. However, the Carbon County Historic Preservation Office should be made aware of the project by the developer. Further, it is strongly recommended that the Historic Preservation Office be afforded the opportunity to evaluate the property both pre and during construction should historical artifacts/concerns be identified.

Allison Kane, Cabin 28 Buettner Park, said she is pleased to have the church as a neighbor but feels it would be irresponsible if they did not protect their eighty year old sewer system as well as the water system. She said the Park would appreciate the City taking this into account. She said they would like the church to get a private water and sewer system.

Betsy Scanlin, President of Fountain Park Homeowners Association, relayed her Boards decision of asking the Council to deny this Conditional Use Permit. Scanlin said she was not in agreement with this request but it is the position of the Board. Their concern is the expanded use and the storm water drainage. She said there really is a lot of impermeable area. Scanlin said she is confident that the engineers have provided for the 100-year flood, 24 hour storm but should this overflow, not only will it affect the adjacent cabins in Buettner Park but will also roll down the driveway to Fountain Park.

Mayor Roat asked if there were any written comments. Caniglia said all correspondence was provided to the Council.

Rev. Loewen said the church does not feel the impact will be that great on the system as they are not big water users.

Sanderson, as the Zoning Administrator, said he feels the language used by Sam Painter for condition #21 is the best to be used to show that the church would indemnify the City as they are the beneficiary of the Conditional Use Permit if the Council chooses to approve it.

Caniglia said he wanted to make it very clear that the Planning Board held a lot of discussion regarding the water and sewer lines and the Board wanted it to be made very clear that they had nothing to do with the matter as they are private lines and they made no decisions on this.

Mayor Roat closed the public hearing at 7:30 p.m.

STANDING COMMITTEES – ADMINISTRATION – Use of City Owned Land – Bone Daddy’s – 2013 Beartooth Rally – Old Business Sanderson said this application was first submitted several months ago. At that time the request was tabled until this current meeting so the Council could see how this year’s event went and see if promises made were kept.

Williams spoke to the issue of reimbursement to the City for the extra costs of the event. At this time the City has received no funds. Williams said the other issue for 2013 will be the work that will be happening on Highway 212 when the construction starts. He feels this will have an adverse effect on Red Lodge as a whole. Williams said the Administration Committee is not ready to make a decision on this request until more discussion is held. Mayor Roat pointed out that the extra costs to the City for this event were approximately \$17,000 this summer. Roat said he would like to see the event pay for itself.

Tim Buckstead said the Beartooth Rally does a considerable amount of advertising for Red Lodge and he feels the event raises a considerable amount of Resort Tax funds. He said the expenses eat about 80% of the profit that comes in on the camping area. Buckstead also feels that motorcycle traffic will remain strong. He also feels it would be a good idea for the City and major event representatives to work together to see if there are ways to enable the events to pay for themselves. Buckstead also gave the City a donation to help with the extra expenses.

Williams said everyone did a very good job this year with the event. He said the Administration Committee will be discussing the possibility of having a greater fee for the temporary vendors that come for this event. He said any input would be good as this is not an easy task.

Mahan said she purchases orange cones as replacements for the July 4th parades. This is the means the Parade Committee uses to help the City with expenses.

Labrie told Buckstead to resubmit another application for the 2013 usage of City owned property so all the dates and information is current.

Down Payment Assistance – HOME Funds Program – NeighborWorks Montana – Environmental Review and Naming NeighborWorks Montana as Administering Agency of HOME Funds NeighborWorks Montana desires to be the administrative agency to disburse and help with these HOME Funds and get people into homeownership if they qualify.

Sanderson said that in order to move forward the Council will need to pass both Resolution #3349 and #3350. MaryLou Afflac, representing NeighborWorks Montana, said they would like to work as partners with the City on this HOME Fund project. She said the funds would help with up to \$25,000 for a down payment on a home.

Schoenike said he feels the Council is largely in support of the program but there are reservations with working with NeighborWorks Montana on another project due to problems with a past project. Schoenike said it is his understanding that if things are not handled properly the City could be held responsible for repaying some of the funds to the State.

Afflac said the City would not be responsible for any obligation on the City. The City would only be responsible for identifying the Flood Zone and the Air Zone. Mayor Roat asked if the City would be responsible as a pass through on the HOME Funds. Afflac said the only involvement the City would have is with the Flood Zone and the Air Zone. She said the requirements now state that NeighborWorks Montana would need to have a partnership with a designated Environmental Review agency. This is what they are asking of the City.

Sanderson asked the Council to table this request for two weeks while he gets written confirmation from the Department of Commerce as to exactly how this program will work and what responsibility the City will have.

Motion by Schoenike, second by Williams to table this item until two weeks from today. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Lease Purchase Option – New City Phone System Williams said the lease cost for a new phone system will be approximately \$800 per month. There will then be a buy out at the end of five years and the City will own the system. The City will have the flexibility of adding to the system if so desired. Williams said the lease rate will be lost if the City does not make a decision and act now. The cost of this phone system is currently in the budget so the Council gave the Mayor permission to sign the contract when it is completed.

Police and Emergency Services Williams said he met with the Fire Chief this morning regarding the fire budget for FY 12-13. He said he feels they have it under control at this point. He said they spoke to the Chief of Police at length regarding the various issues that have come up in the past few weeks. He said they did conclude that after reading all the comments on Facebook they do not feel there is enough information to see what actually occurred on various issues. He said it would be very helpful in going forward, if a person has an issue they need to bring it up in writing so the committee can go back and review what really happened. Williams said he is convinced that the Chief of Police is more than willing to do this as is the Mayor. Williams feels the issues can be resolved if all can begin to understand and have enough details to move forward.

Mahan said the Police and Emergency Services Committee will work very hard to address any legitimate problems or complaint with the Police Department. Anyone can come to committee meetings to speak with them if they would like to do so. This is something that is very important to the committee.

Schoenike said he brought to the attention of the Mayor, what he felt was a legitimate violation of State law or at least a deficiency, on both July 10 and September 7, 2012, regarding the Mayor's rules as required by State statute 7-32-4103. He asked the Mayor for a copy of these rules but the Mayor said it was not his responsibility to deliver this. Schoenike read the State statute he mentioned stating the Mayor provides for the government, direction, management and discipline of the Police force. It is Schoenike's reading of this law that the Mayor should know what these rules are, where they are and should be able to produce them. Mayor Roat told Schoenike that he disagrees with him. The Mayor said that under State law the Mayor is responsible for the Police Department, not the Council and not the Police Commission. He said the Council can give direction but the actual operation of the Police Department is for the Mayor and then the Chief of Police. The Mayor said he does not see a need for prescribing how they do this as they are all post certified, been to the Law Academy, are experienced officers and do not need anyone not in the business telling them what to do. The Mayor said that until there is a problem he will let them do their work and if a problem arises he will deal with it.

Schoenike asked for the rules so the Mayor is compliant with the MCA 7-32-4103 that states that "The Mayor or Manager shall make rules not inconsistent with the provisions of this part, the other laws of the state, or the ordinances of the city or town council, for the government, direction, management, and discipline of the police force."

Motion by Schoenike, second by Labrie that the Council officially requests the production of these rules for inspection. On roll call vote those in favor: Aldermen Richter, Labrie and Schoenike. Those opposed: Aldermen Mahan and Williams. Motion failed.

Mike Keyes, 11 South Adams, said he came tonight to express some concerns with the RLPD. He said he is not hiding behind a Facebook page but started it to see if there are legitimate concerns regarding the Police Department that people would like to share as long as they are true concerns. He said he consulted four lawyers to make sure this was something that could legally be done. He was told it was. Keyes said people are interested in how many law suits have been filed against the Police over the years, how many are won by the plaintiffs, how much money is awarded to the plaintiffs, how many times does our law enforcement use force (such as tasers), how many tickets are written in comparison, as a lot of money goes out to protect these officers against harassment charges. Keyes said the Mayor is definitely correct in stating that there are very many things that are good about the Police Department. Keyes said he is happy that the Council is willing to find ways to address the public concerns.

LAND USE AND PLANNING – Conditional Use Permit – Red Lodge Alliance Chapel Motion by Schoenike, second by Williams to adopt Staff Report RLCU-12-3 as findings of fact. I further move to approve the Conditional Use Permit to allow for the establishment of the commercial building of 6,560 square feet in size all on property owned by Red Lodge Alliance Chapel that may be described as S34,T07S, R20E, COS 473 Amended Less Track A COS 388 2nd Amended, Carbon County, Montana subject to twenty-one conditions of approval recommended by the Planning Board. On roll call vote all Aldermen present voted "Aye." Motion carried.

Amendment to motion by Schoenike, second by Williams to amend condition #21 to read "Private water and sewer system. The Red Lodge Alliance Chapel (Alliance) submitted a number of historical property documents that are duly recorded at the Carbon County Clerk and Recorder's Office. The documents provide evidence that the Alliance appears to constitute the recorded owner of the private water and sewer systems that serve its property. In addition, the Alliance has acknowledged that there are nearby properties that currently utilize its private systems, hereinafter "System Users." Based on the Alliance's representations and the documents submitted, hereinafter incorporated herein as Exhibit 1, the City approves the Alliance's request and shall issue the building permit based upon the Alliance's asserted ownership interest over the private systems at issue. However, if any litigation between the Alliance and the Systems' Users results,

the Alliance hereby agrees to indemnify, hold harmless and defend the City in any litigation that may result from the Alliance's ownership and subsequent expansion, change, modification, alteration, and/or construction of any kind to the private water and sewer system. On roll call vote all Aldermen present voted "Aye." Motion carried.

Mayor Roat asked the applicant if they understand that they would be required to hold the City harmless and indemnify the City and this will be a part of the minutes of this proceeding so they would be committing to this. Rev. Loewen said they passed this through their attorney and passed it on to their national office and yes they understand.

Mayor Roat asked the applicant if they understand all twenty-one conditions stated in the motion before the roll was taken. The applicant stated that they did understand.

2008 Growth Policy – Statutory Update Sanderson said State law requires the City to review and update the Growth Policy at least every five years. It is time, per the law, for the Council to formally charge the Planning Board in the preparation of the Growth Policy. Sanderson said he would like to place on the agenda for the next Council meeting to have the Council issue the formal charge to the Planning Board in the form of a resolution to prepare the Growth Policy for the City of Red Lodge before August of 2013. The Council was in agreement to put this on the next agenda.

Nomination Purchase of City Owned Land – Dennis Kreatz Dennis Kreatz, Granite Peak Plumbing and Heating, would like to purchase City owned property on Airport Road. Granite Peak Plumbing and Heating owns the existing Tract 2, Plot 1869AM which is west of Mountain View Apartments. The proposed purchase would be between 15,000 and 30,000 square feet. The site would be used for the future Granite Peak Plumbing and Heating office and retail space.

The Mayor said the problem is the need to have a commercial appraisal of this property and it would need to be done by the City in order to put a price on the property. He said the City does not have the funds to do this. The Mayor said he suggested that he ask Mr. Kreatz if he would be willing to stand the cost of this as it could be as much as \$6,000 with some arrangement whereby he could receive partial refund if the City were to choose to sell him the property. The problem discussed with doing this is if Mr. Kreatz did not bid or did not present the highest bid to the City and did not receive the property how would he get any of the money back.

Sanderson said he would like to see if he and the Mayor could sit down with Mr. Kreatz to have a discussion on what could perhaps be done to get everything accomplished that needs to be done before the land can be sold. The Council agreed to have the Mayor and Sanderson meet with Mr. Kreatz.

Cemetery Trust Williams said the Cemetery Trust Fund is still being explored to see what portion can be utilized to help with repairs that are desperately needed on the mausoleum.

Once the sprinklers were repaired at the cemetery the grass came back very well.

PUBLIC WORKS – Dog Park Dedication – Double Ditch Park Motion by Schoenike, second by Mahan to approve the dedication of the Double Ditch Park as a Dog Park as recommended by the Parks Board on August 22, 2012. On roll call vote all Aldermen present voted "Aye." Motion carried.

Betsy Scanlin said she thinks the choice of the Double Ditch Park for the Dog Park is a very good one and she thanked the Council for their help with the park and encouraged all to vote in favor of the dedication.

Resolution #3351 – Haggin Avenue North Dedication

RESOLUTION NO. 3351

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA DECLARING AND OPENING NORTH HAGGIN AVENUE, BEARTOOTH LOOP, AND BEARTOOTH LANE AS SHOWN ON THE ATTACHED "STREET DEDICATION MAP" AS PUBLIC RIGHT-OF-WAY.

WHEREAS, The City of Red Lodge owns or controls a number of rights-of-way via dedication, platting or donation for the benefit of the public; AND

WHEREAS, North Haggin Avenue, Beartooth Loop and Beartooth Lane as shown on the Street Dedication Map are all situated upon lands owned or controlled by the City of Red Lodge; AND

WHEREAS, North Haggin Avenue has been a defacto portion of the City of Red Lodge road, street and avenue system for a number of years; and

WHEREAS, North Haggin Avenue, Beartooth Loop and Beartooth Lane as shown on the Street Dedication Map are an integral component of the planned improvements to U.S. Highway 212 proposed by the Montana Department of Transportation; AND

WHEREAS, The City Council and the Montana Department of Transportation have agreed that the roads shown on the attached Street Dedication Map are necessary to provide storm water management and discharge as well as detour routes during the construction of U.S. Highway 212.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Red Lodge, Montana that upon the passage of this resolution, North Haggin Avenue, Beartooth Loop and Beartooth Lane as shown on the Street Dedication Map shall in all respects be open to any and all lawful uses.

Motion by Schoenike, second by Mahan to approve Resolution #3351, a resolution of the City Council of the City of Red Lodge, Montana declaring and opening North Haggin Avenue , Beartooth Loop and Beartooth Lane as shown on the attached "Street Dedication Map" as Public Right-of-Way. On roll call vote all Aldermen present voted "Aye." Motion carried.

Mayor Roat said that Haggin Avenue presently stops going north and the anticipated extension will allow for connection to 3rd Street where it turns the corner to the new proposed round-about and east down to Rock Creek will be Beartooth Lane and will also be a storm water sewer easement.

Mahan said the Public Works Director is looking forward to doing this.

Sanderson said this action is consistent with the Growth Policy. He said the Growth Policy shows both the extension of Haggin Avenue as well as Hauser Avenue down the valley floor to extend services into the north corridor and be an alternate means of egress and ingress.

Snow Removal Ordinance Sanderson said this ordinance has been discussed for quite some time by the Public Works Committee. A draft of the ordinance has been given to the Council to review. The ordinance pertains to the public rights-of-way and will not affect the sidewalk portion of Title 4. Sidewalks are covered in Title 4 of the codes. There were a few minor amendments that the committee recommended and if the rest of the Council has anything they would like to see discussed they should get them to Sanderson so an ordinance for first reading can be presented to the Council at the next meeting. The Public Works Director is also in agreement with the proposed ordinance. Mayor Roat is pleased to see that blowing snow onto public rights-of-way will not be allowed.

Construction Agreement – MDT Highway 78 – Brewery Hill to 212 Motion by Mahan, second by Schoenike to approve Construction Agreement item #4 MDT Highway 78, Brewery Hill to 212. On roll call vote all Aldermen present voted "Nay." Motion failed.

Mahan said there is a lot of concern that there is nothing in writing from MDT to show what the proposal is. Mahan said the Council is reluctant to go forward until something is received from MDT to show what will be done. Sanderson the Billings District is the only MDT district that has given information to Red Lodge when asked. For the segment of Highway from Hauser Avenue to Lazy M which is covered in this agreement the City has seen nothing. Sanderson said the City has requested for five years now to see a comprehensive set of plans so the City can evaluate grade, pedestrian safety and a whole host of other items. MDT has been quite blunt stating they will not build an alternative transportation route on this segment of Brewery Hill and the City understands this but we have still not been given a set of plans to review. Hopefully the City will get some action from the State by denying this Construction Agreement. William Foisy said again that BRTA will help by writing a letter to the State regarding the design standards on this proposed project.

Construction Agreement – MDT Highway 78 – Brewery Hill Northwest Motion by Mahan, second by Schoenike to approve Construction Agreement MDT Highway 78, Brewery Hill Northwest. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Sanderson said that on this second agreement, the segment from Lazy M out, the City is getting the multi modal trail. The Construction Agreement acknowledges this and is complying with the Growth Policy. He said this agreement is worthy of approval. Mayor Roat asked what the scope of this agreement is. Sanderson said this agreement is within the City limits of Highway 78 from Lazy M essentially to the Draper corner where it leaves corporate limits.

Parks Board Mayor Roat said Tom Kohley notified him that the Parks Board did get funds from NorthWestern Energy for trees. The Mayor will have Kohley meet with the Public Works Committee to find the best locations to plant these trees and to discuss how they will be watered.

Solar Panels Mayor Roat reminded the Council that the solar panels were turned off in May. This was done to show what the savings were by running the solar array. The results showed that the costs were less when the array was off. The Mayor said there is a possibility that they were hooked up backwards. This is being checked out to see if this might be the problem.

Parking by Library Mahan said a letter has been received from MDT approving the request to restrict parking by the Library. Steffen Streeter said this was alright but MDT does not have the resources to paint the curb at this time. The Public Works Director said the City will do this curb painting. Mayor Roat said this will be done to give more clear zone along the library area.

Cemetery Schoenike said the committee had additional discussion regarding the cemetery on price comparisons with other communities.

CITIZEN REPORT Betty Ansorge said it has been her pleasure to look into the possibility of having a flyover in Red Lodge by the Air Force Reserve from Great Falls over the 4th of July. She said she would give all her information to the Mayor to look over as Ansorge said there would be forms that would need to be filled out.

CORRESPONDENCE Mayor Roat told the Council that Beartooth REA will be hosting their annual meeting on Saturday, September 22, 2012 at the Civic Center. If anyone would like to attend it will be starting at 9:00 a.m. with a registration breakfast at 7:30 a.m.

Sanderson told the Council that he sent an e-mail to Pat Romansic as required for our ISO rating. This was a study done on the City’s Building Department. In the reporting period from July 1, 2011 through June 30, 2012 the City issued a total of 603 permits through the Building program with a net valuation of \$7,714,241.33. The vast majority of this amount is through residential work such as all the roofing that was done as a result of the hail storm. Sanderson said he has not yet heard back as to where our final rating will be.

Sanderson said that Williams submitted an email regarding the prospect of meeting with downtown merchants and business owners to discuss the upcoming MDT work that will start on Highway 212. Also it would be good to discuss the water project that the City will be doing on Broadway. Sanderson asked if setting up this meeting could be an agenda item at the next Council meeting and he was told this would be a good idea.

Sanderson said that bids will close October 17, 2012 on Tract B-5. They will be taken under consideration at the October 23 meeting.

MISCELLANEOUS Mahan said she attended a meeting September 9, 2012 at the Pollard of a FAM Tour Group. She said there were fifty-two people who came from all over the world to visit several communities in Montana to see who they would like to visit with and recommend to their tour groups. She said that Red Lodge came out smelling like a rose. The group was very impressed with Red Lodge as they commented that everyone was so very friendly and helpful.

Meeting adjourned at 9:20 p.m.

Mayor

ATTEST:

City Clerk