

September 23, 2008

The Red Lodge City Council met in regular session on September 23, 2008 at 7:00 p.m. The meeting was called to order by Mayor Scanlin followed by the Pledge of Allegiance to the Flag.

ROLL CALL OF OFFICERS Present: Mayor Scanlin, Aldermen Kampfe, Mahan, Lockman, Labrie, Kennicott and Priest. Absent: None.

MINUTES OF SEPTEMBER 9 Motion by Mahan, second by Lockman to approve the minutes of September 9 as presented. On roll call vote all Aldermen present voted "Aye." Motion carried.

SPECIAL COMMITTEES None

STANDING COMMITTEES – Administration – Ordinance #871 – Use of City Property – 2nd Reading

ORDINANCE NO. 871 (caption)

AN ORDINANCE TO AMEND PREVIOUSLY APPROVED CITY ORDINANCE NO. 868 TO CLARIFY THE PROCESS AND REGULATIONS FOR THE USE OF CITY-OWNED PROPERTY WITHIN THE CITY OF RED LODGE.

Nothing more has come before the Council since the first reading of this Ordinance.

Motion by Mahan, second by Lockman to approve Ordinance No. 871 on second reading. On roll call vote all Aldermen present voted "Aye." Motion carried.

Ordinance #872 – Exhibition Driving – 2nd Reading
ORDINANCE NO. 872

AN ORDINANCE OF THE RED LODGE CITY COUNCIL TO ADOPT AN EXHIBITION DRIVING OFFENSE TO BE INCORPORATED IN THE CITY'S MOTOR VEHICLE OFFENSES.

Nothing more has come before the Council since the first reading of this Ordinance. Lockman said she feels the ordinance regarding exhibition driving can be effective as long as we work with the Police and Emergency Services to help enforce it.

Motion by Mahan, second by Lockman to approve Ordinance No. 872 on second reading. On roll call vote all Aldermen resent voted "Aye." Motion carried.

Job Descriptions – Status Mayor Scanlin said a model job description has been received from the Local Government Associates and has been given to Department Heads. This will be discussed during the Department Head meeting held on October 7. The Mayor said that once we have the format for the job descriptions we can equate values that are necessary for the various jobs in the City. The level of service will be part of the discussion held by the Council. Lockman said it will be important to write the job descriptions based on the needs of the City and not on the person currently holding the job.

MMIA – Property Insurance The City currently has Liability Insurance, Workers Compensation Insurance and Health Insurance with MMIA. They insure only the incorporated municipalities in Montana and do so for most of the them. The City does not currently have their Property Insurance with

MMIA. MMIA is very competitive with the City's current insurer for this particular insurance. In fact MMIA is approximately 30% less for their premiums. They will cover the City for property coverage, boiler and machinery, and crime and fidelity coverage.

Motion by Kampfe, second by Kennicott to use MMIA for property, boiler and crime and fidelity insurance coverage. On roll call vote all Aldermen present voted "Aye." Motion carried.

Emergency and Police Services Tom Kuntz told the Council that the City is receiving a projector system from the GIS Grant. He said it will hopefully be installed by the next Council meeting. This cost will be approximately \$2500. The Court will also be able to utilize this system.

Kuntz said the Fire Department is going to start producing an internal monthly newsletter. He said he will make sure the Council receives a copy of the newsletters.

Mayor Scanlin told the Council that she and Kuntz participated in a wrap up of the Cascade Fire. She said the assessment was that most everything went well as everyone was well prepared. There were a few things that need to be followed up on. The cooperation during this fire was magnificent. Mayor Scanlin also thanked Chief Kuntz for the work he did on this fire and the work he does for the City.

Mayor Scanlin said the report regarding the accident with the patrol car is finished but is in the hands of the City Attorney. There were some questions regarding confidentiality. Some corrections were needed to be made and the Mayor told the Council they should be receiving a corrected copy this week.

Land Use and Planning – Resolution No. 3265 – Create Restricted Cash Account – Planning Department

RESOLUTION NO. 3265
RED LODGE CITY COUNCIL

A resolution by the City Council of the City of Red Lodge to create a restricted cash account for the Planning Department in the General Fund.

WHEREAS: The Red Lodge City Council has adopted a Growth policy in accordance with 76-1-601 et.seq. MCA; AND

WHEREAS: The City of Red Lodge has adopted subdivision regulations in accordance with the Montana Subdivision and Platting Act; AND

WHEREAS: The Red Lodge City Council has the ability to establish fees for the purpose of paying for services that fulfill the purposes of Title 76, chapter 1; AND

WHEREAS: The Red Lodge City Council has the ability to establish fees for the review of subdivisions as well as the examination of Certificates of Survey that purport to divide property that is exempt to public review:

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Red Lodge, Montana to adopt Resolution Number 3265 which formally creates and authorizes the use of a Cash Restricted Account within the General Fund for use by the Red Lodge Planning Department to pay for activities or expenses incurred in fulfilling the purposes of Title 76, Chapter 1 of the Montana Code Annotated.

Motion by Mahan, second by Kampfe to approve Resolution No. 3265-Create Restricted Cash Account for the Planning Department. On roll call vote all Aldermen present voted "Aye." Motion carried.

Public Works – Update 2007 Waterline Rehabilitation Project Sanderson reported to the Council that Karen Sanchez, USDA/RD, was in Red Lodge today doing the preliminary substantial completion on Schedule II, which is the "in-town" rehab. She also did a preliminary walk through on Schedule III, which is the tank and residential meter buildings as well as the 16-inch line into town from the tank down

White Ave. Sanderson said on the punch list identified by USDA there is some settling in the cuts on McGillen, Adams and Grant and they will be monitored over the one-year warranty period and they will be fixed next summer. He said the City is looking at chip sealing all of the project sites and will be looking at a funding source through USDA, possibly through the current loan, to bring a ten-year life span back onto all of the streets in the project area. Sanderson said that Sanchez gave a preliminary nod to this. Sanderson said there was one flaw that needed to be corrected immediately. This is on 15th Street and South Adams; the cut has sunk about four inches under the sidewalk and needs to be repaired now. Some paving was missed and will be done before the asphalt batch plants closes down for the year. Karen Sanchez was very pleased with the project work.

Work Change Directive #3 Schedule 3 Sanderson said this work change directive is the installation of the rubber mat over the top of the tank. He said when the lid was poured on the tank it was done during a rapid change in temperature. This caused the lid to leak. Several fixes were used to try to get the lid to seal but it was unsuccessful. A rubber mat is being installed across the top of the tank and extending twenty-seven inches down the side. The City will purchase the material and COP Construction will do the installation at no charge. This cost will be about \$12,000 but remains within the contingency.

Motion by Priest, second by Mahan to approve work change directive #3 schedule 3. On roll call vote all Aldermen present voted "Aye." Motion carried.

Change Order #2 Schedule #3 Sanderson said this change order would authorize USDA to release the funds. The 16-inch water main was re-routed to eliminate siphon conditions under the surface water corrugated by-pass culvert. The net increase on this change is \$21,593 once again under the stated contingency for the project.

Motion by Priest, second by Mahan to approve change order #3 schedule 3. On roll call vote all Aldermen present voted "Aye." Motion carried.

CITIZEN REPORT Reverend Bryan Loewen reported on the Affordable Housing Project. He said there are two houses that are progressing very well. He said there are more than enough applicants for the remaining four lots and the applications are being processed. Loewen said they are waiting for the City to install the water and sewer hookups for the lots.

Laura Getz thanked the City for painting the crosswalks at the intersection of the Boys and Girls Club. She said they appreciate the help very much and hopes the crosswalks will help with the traffic by the club.

OLD BUSINESS None

NEW BUSINESS Mahan said the area in front of the Library is large enough to accommodate two vehicles. She said it would help if it could be stripped to show there are two spaces available. She said she will ask Public Works if they could look into the possibility of doing this.

Kennicott said she is concerned about the weed problem in town. She said that The Spires would be spraying for weeds in their area in October. She said there is an extensive weed problem in Diamond C Links. She wondered if a notice in the paper would help to let people know the problem needs to be taken care of. The City also needs to be a responsible party regarding the weed problem on City property. Kennicott said the County weed person, Brian Ostwald, is very knowledgeable and cooperative. He would be willing to help the City with this problem.

CORRESPONDENCE None

MISCELLANEOUS Mahan reported on a police report from 2004. The report is in regard to dumping debris at the Golf Course that was filed by Willis Coffman. Mahan said the debris is still there and nothing has been done regarding the matter at this time. Mahan said the City Attorney Kent Young has the file. Mayor Scanlin said she would look into this matter to see if something can be done.

Lockman told Kennicott Happy Birthday.

Mayor Scanlin said she considered the resolution passed at the last meeting regarding the budget. She said she has concerns regarding the line items that have to do with debt reduction. She said with all due respect she is exercising the Mayor’s veto power over the Council’s approval on September 9 of Resolution No. 3264 Adopting Budget for FY 2008-2009, or those portions thereof, that involve Debt Reductions from Water and Sewer budgets in the amounts of \$257,500 and \$240,000 respectively.

She urges the Council to amend its Resolution and to act now on the CIP that the was adopted in July of 2008. That plan lists 10 “HIGH” priority items in the areas of water and sewer public works. She listed specific examples that could be accomplished with these funds in this fiscal year:

Water:	Platt Ave. Water Rehabilitation (5 th to 7 th & 14 th to 16 th)	\$ 60,000
Wastewater:	Generator at Wastewater Ponds	\$120,000
Storm Water:	Storm Water Master Plan	\$100,000
	Remove Inlet Connections to Sewer Mains	\$120,000

She said that given the economic uncertainty that has increased since the Council’s action on September 9, the prospect is less likely that the City could recover the equivalent of \$497,500 in the near future, putting off the above projects as well as others that the Council indicated it anticipated creating savings for. The reserves that we accumulated to date purposefully and specifically were to accomplish such projects, which directly benefit those taxpayers who have provided the revenue for them. Future funding for these projects is otherwise uncertain, loan applications take extensive amounts of time and staff or contractors, and the need is current. She asks the Council to consider current needs that have already been identified and amend the Resolution to accommodate them.

Motion by Mahan, second by Kampfe to put the Mayor’s veto on the agenda for October 14 for action by the Council. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Meeting adjourned at 7:55 p.m.

Mayor

ATTEST:

City Clerk