

August 23, 2016

The Red Lodge City Council met in regular session on August 23, 2016 at 7:00 p.m. The meeting was called to order by Mayor Schoenike followed by the Pledge of Allegiance to the Flag.

**ROLL CALL OF OFFICERS** Present: Mayor Schoenike, Aldermen Foisy, Mahan, Thompson, Labrie, and Brown.

**DEPARTMENT HEAD ATTENDANCE:** City Clerk – Loni Hanson, Public Works – Jim Bushnell, Community Development Director -Peter Italiano.

**MINUTES OF AUGUST 9, 2016** Motion by Mahan, second by Labrie to approve the regular meeting minutes of August 9, 2016, with one correction of changing the date on page one from August 8<sup>th</sup> to the 9<sup>th</sup>. On roll call vote Aldermen Foisy, Mahan, Thompson, Labrie, and Brown voted “Aye.” Motion carried.

**COMMENTS FROM THE PUBLIC REGARDING MATTERS WITHIN CITY JURISDICTION THAT ARE NOT ON THE AGENDA**

**APPROVAL OF 2016-2017 FISCAL YEAR BUDGET, RESOLUTION NO. 3416** Motion by Labrie, second by Mahan to approve Resolution No. 3416, a resolution of the City of Red Lodge, Montana, approving and adopting the final budget for fiscal year 2016-2017, as proposed by the Red Lodge City Council on August 23, 2016. On roll call vote all Aldermen present voted “Aye”. Motion carried.

**RESOLUTION NO. 3416**

**A RESOLUTION OF THE CITY OF RED LODGE, MONTANA APPROVING AND ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2016-2017, AS PROPOSED BY THE RED LODGE CITY COUNCIL ON AUGUST 23, 2016.**

**WHEREAS**, the Carbon County Assessor reported that the taxable valuation of the City of Red Lodge for Fiscal Year 2016-2017 is \$6,599,641, and

**WHEREAS**, the City Council adopted the Final Budget for Fiscal Year 2016-2017 and there were no protests to the adoption of the Budget at a public hearing held on August 23, 2016 at 6:00 p.m.

**NOW THEREFORE, BE IT RESOLVED** that the following Final Budget for Fiscal Year 2016-2017 is hereby adopted and the total mill levy set at 131.30.

Fund Name	Total Requirement	Non-Tax Resources	Property Tax Revenue	Mills
1000 General	1,934,658	1,174,644	760,014	115.16
2190 Comp. Ins.	59,952	53,353	6,599	1.00
2371 Health Ins.	84,501	5,833	78,668	11.92
2372 PERS	79,548	75,061	4,487	.68
2375 Police Retire	68,000	51,237	16,763	2.54
2100 Resort Tax	878,657	878,657		
2220 Library	139,153	139,153		
2390 Drug Forfeiture	20,000	20,000		
2394 Bldg. Code Enf.	93,528	93,528		
2396 CDBG/HOME	94,642	94,642		
2820 Gas Tax	8,598	98,598		
2956 ISTEА	4,839	4,839		
4030 Capt. Proj.	409,357	409,357		
4031 Ceme.Cpt.Imp.	47,463	47,463		
5210 Water Opert.	1,354,961	1,354,961		
5310 Sewer Opert.	1,415,941	1,415,941		
5410 Solid Waste	448,267	448,267		
7010 Ceme. Trust	5,944	5,944		
7050 Dance Pavilion	1,014	1,014		
7390 TBID #001	57,000	57,000		
<b>Total</b>	<b>7,296,023</b>	<b>6,429,492</b>	<b>866,531</b>	<b>131.30</b>

PASSED and APPROVED by the City Council and approved by the Mayor on this 23rd day of August, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Foisy said the projects under the Capital Improvements Plan for the 2016-2017 year are included in the budget. He said the Highway 212 sewer force main project is included and construction should start this fall. He said other projects include the roof for the Police department, the generator for the water treatment plant, and the sewer jetter truck camera.

**CLAIMS AGAINST THE CITY** Motion by Labrie, second by Brown that claims against the City totaling \$1,040.00 approved by the Auditing Committee, be paid and warrants drawn on their respective funds in payment. On roll call vote Aldermen Foisy, Mahan, Thompson, Labrie and Brown voted "Aye." Motion carried.

Labrie said these our Court disbursements payments to Carbon County and DSVS, which are just pass through payments.

**ANNUAL REPORT-PARK, TREES AND RECREATION BOARD** Dan Seifert, Parks Board Chairman, gave a summary of the annual report for the Park, Trees and Recreation Board. The full report is available on the City's website.

**STANDING COMMITTEES- ADMINISTRATION AND FINANCE- Resolution No. 3419, Approve Funding for Cemetery District Election** Motion by Labrie, second by Brown to approve Resolution No. 3419, a resolution of the City Council of Red Lodge, Montana, funding and approving the mail ballot electoral process for the Carbon County Cemetery District No. 8-Red Lodge. On roll call vote all Aldermen present voted "Aye". Motion carried.

**RESOLUTION NO. 3419**

**A RESOLUTION OF THE CITY COUNCIL OF RED LODGE, MONTANA FUNDING AND APPROVING THE MAIL BALLOT ELECTORAL PROCESS FOR THE CARBON COUNTY CEMETERY DISTRICT No. 8 – RED LODGE**

**WHEREAS**, the City has coordinated with the Cemetery Board and the Carbon County Commissioners as to the process necessary to affect the creation of a cemetery district; and

**WHEREAS**, the City has participated in public meetings and hearings to solicit feedback from the public regarding the creation of a cemetery district; and

**WHEREAS**, the City Council supports the creation of a Cemetery District to serve as a revenue source to operate and maintain the existing Red Lodge cemetery; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Red Lodge, Montana: The City hereby approves a budget allocation of up to seven thousand dollars (\$7,000.00) to cover the costs associated with a mail ballot election for the purpose of the creation the Carbon County Cemetery District No. 8 – Red Lodge.

**PASSED AND APPROVED** BY AT LEAST FOUR (4) MEMBERS OF THE RED LODGE CITY COUNCIL on this 23rd day of August, 2016.

City of Red Lodge \_\_\_\_\_ Michael Schoenike, Mayor

ATTEST: \_\_\_\_\_ Loni Hanson, City Clerk

Labrie said the City has been subsidizing the cemetery for many years and on a very tight budget. She said we are the only cemetery in the county that is not a district and would like to create a district so we can fund it more consistently and have the work done that needs to be done.

John Prinkki, County Commissioner, said once the City adopts this resolution, then the County will put it on their agenda as soon as possible and adopt a resolution of intent to approve the district. That will open up the 30 day comment period. He said before the comment period, a letter will be sent to each property owner within the district on the intent of the district.

**Resolution No. 3421, Adoption of City Employee Manual** Motion by Brown, second by Mahan to approve Resolution No. 3421, a resolution approving revisions to the City of Red Lodge's personnel policies and authorizing application to obtain Employment Practices Liability Insurance. On roll call vote all Aldermen present voted "Aye". Motion carried.

#### RESOLUTION NO. 3421

A RESOLUTION APPROVING REVISIONS TO THE CITY OF RED LODGE'S PERSONNEL POLICIES AND AUTHORIZING APPLICATION TO OBTAIN EMPLOYMENT PRACTICES LIABILITY INSURANCE.

WHEREAS, The Red Lodge City Council passed personnel policies by motion on April 28, 1998, and amended by resolution on March 14, 2006; and

WHEREAS, the City has since passed the City of Red Lodge Social Media Policy, and has taken note of other needed updates to the City's personnel policies; and

WHEREAS, the City has received comments from its insurance carrier to improve its personnel policies, has worked with legal counsel and staff on revisions, and otherwise endeavored to update, improve, and bring the City's personnel policies into conformity with current law and insurance standards.

NOW THEREFORE, BE IT RESOLVED:

The City Council resolves to approve the "Revised Red Lodge Personnel Policies" attached hereto and made a part of this resolution.

The City Council intends that the "Revised Red Lodge Personnel Policies" hereby supercede and otherwise replace the City's personnel policies previously adopted on March 14, 2006 and the City of Red Lodge Social Media Policy.

The City Council does not intend the "Revised Red Lodge Personnel Policies" to supercede or otherwise conflict with any collective bargaining agreement, and when a conflict is perceived policies and procedures in the collective bargaining agreement shall prevail.

The City Council resolves to have the City take such other and further action as necessary and in conformity with this Resolution to perfect an application to obtain Employment Practices Liability Insurance (ELPI).

PASSED and APPROVED by the Red Lodge City Council this 23<sup>rd</sup> day of August 2016.  
FOR THE CITY OF RED LODGE, MONTANA

By: \_\_\_\_\_  
Michael Schoenike, Mayor

Attest: \_\_\_\_\_  
Loni Hanson, City Clerk

Brown said the Administration and Finance Committee has been working on this for some time.

Labrie said there were no substantial changes other than what was required by MMIA.

**Use of City Owned Land Application, 13<sup>th</sup> Street, July 2017, Snow Creek Saloon** Motion by Mahan, second by Labrie to approve the Use of City Owned Land Application from the Snow Creek Saloon for the closure of 13<sup>th</sup> Street for July 17, 2017, with the following conditions: the music needs to stop at midnight and an additional amount of \$500.00 is required to help offset additional law enforcement for that day. On roll call vote, all Aldermen present voted "Aye". Motion carried.

**Resolution No. 3420, Sewer Budget Transfers FY 2015-2016** Motion by Labrie, second by Mahan to approve Resolution No. 3420, a resolution of the City Council of the City of Red Lodge, Montana, authorizing fiscal year 2015-2016 budget transfers. On roll call vote all Aldermen present voted "Aye". Motion carried.

#### RESOLUTION NO. 3420

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA, AUTHORIZING FISCAL YEAR 2015-2016 BUDGET TRANSFERS.

Be It Resolved that the following Fiscal Year 2015-2016 Budget Transfers are hereby authorized:

Fund No.	Account No.	Description	Transfer
TRANSFER TO:			
5310	510400-830	Sewer- Depreciation	17,475.00
TRANSFER FROM:			
5310	490502-620	Sewer-Interest	7,274.00

5310	490503-620	Sewer-Interest
	8,282.00	
5310	492500-620	Sewer-Interest
	1,919.00	

PASSED and APPROVED by the Red Lodge City Council and approved by the Mayor on this 23rd day of August, 2016.

\_\_\_\_\_  
 Mayor  
 ATTEST: \_\_\_\_\_  
 City Clerk

**Other Administration and Finance Items** Labrie said they are going to start working on the Use of City Owned Land Ordinance and they also will be working on other items.

**LAND USE AND PLANNING- Resolution No. 3417, Dedication of Coal Miners Park** Motion by Brown, second by Labrie to approve Resolution No. 3417, a resolution of the City Council of Red Lodge, Montana, declaring the dedication of Coal Miners Park. On roll call vote, all Aldermen present voted "Aye". Motion carried.

**RESOLUTION No. 3417**

**A RESOLUTION OF THE CITY COUNCIL OF RED LODGE, MONTANA DECLARING THE DEDICATION OF COAL MINERS PARK**

**WHEREAS**, the City of Red Lodge has identified the lands depicted on the attached Exhibit 'A' ("said land") as a public park; and

**WHEREAS**, the City Council has previously entered into agreements with the Red Lodge School District and the Yellowstone Wildlife Sanctuary (FKA the Beartooth Nature Center) for specific types of use of portions of said land; and

**WHEREAS**, the all rights of use and enjoyment as set forth in the aforementioned agreements with the Red Lodge School District and the Yellowstone Wildlife Sanctuary (FKA the Beartooth Nature Center) shall not be affected by this action of park dedication; and

**WHEREAS**, the City of Red Lodge desires to protect said land for the beneficial recreational and education uses, along with the enjoyment of the public; and

**WHEREAS**, the 2015 Comprehensive Parks Plan for the City of Red Lodge recommends dedication of Coal Miners Park; and

**WHEREAS**, the City Council may from time to time adopt a management plan(s) and/or memorandum of understanding(s) to further clarify and define beneficial use of said land.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Red Lodge, Montana that upon passage of this resolution, the land identified on the attached Exhibit 'A' shall hereinafter be dedicated as public park; and shall be known as Coal Miners Park.

**PASSED AND APPROVED** BY AT LEAST FOUR (4) MEMBERS OF THE RED LODGE CITY COUNCIL on this

23<sup>rd</sup> Day of August, 2016.

City of Red Lodge

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Michael Schoenike, Mayor

Attest:

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Loni Hanson, City Clerk

Brown said this has been a long time coming and is pleased that it is finally done.

**Other Land Use and Planning Items** Brown said they are still in the process of bringing forward resolutions for dedication of Creek Side Park and Lions Park.

Brown said they discussed the public meeting MDT held on August 11, on their plans for the North Highway 212 project to the Two Mile Bridge Road. She said there is a public comment period open until September 12.

Brown said they also discussed the Active Transportation Plan.

**PUBLIC HEALTH AND SAFETY- Appointment of Law Enforcement Advisory Board** Schoenike said he received 15 applications for the five available positions on the Law Enforcement Advisory Board. He said the applicants were Jed Adams, David Alsager, Rod Bastian, Al Bloomer, Kevin Broderick, Pete Critelli, Nate Davis, Matt Heaton, Pam Hellerud, Kristen Hollum, Beth Hutchinson, Jim Johnson, Al Jones, Steve Muth, Stephanie Naftal, Colleen Stevenson, and Susan Yerby.

Schoenike said he had already chosen Nate Davis and Colleen Stevenson to be on the Board because of their interest in the Police Commission. Schoenike said he needed to select five people from the fifteen applicants and he would like to ask the Council for their approval of appointing Nate Davis, Colleen Stevenson, Rod Bastian, Pam Hellerud, Kristen Hollum, Jim Johnson and Susan Yerby, as well as Glory Mahan as an ex officio member.

Mahan said George Clow offered to be an advisor to the board.

Motion by Brown, second by Labrie to approve the Mayor's recommendation of the seven members to the Law Enforcement Advisory Board. On roll call vote all Aldermen present voted "Aye". Motion carried.

**September 11<sup>th</sup> Observance and Recognition of Local First Responders** Mahan said the Observance and Recognition of Local First Responders will be held on September 11<sup>th</sup>, at Lions Park, at 4:00 p.m. She said there will be music and food. Mahan said Mike Majerus will be the M.C. for the event. The Public is welcome to attend.

Schoenike recognized Diane Dimich for her help in organizing this event.

**Other Public Health and Safety** Mahan said they discussed the south entrance of the Rodeo Road and it does belong to the County, so the City will be discussing with the County future plans for that road.

Mahan said the articles for the Carbon County News are coming together and should be in the paper soon.

**PUBLIC WORKS- Approval of SRF Loan for Force Main Project** Foisy said included in the Capital Improvements Plan is the construction for replacing our sewer lift station on the north end of town and replacing the sewer force main. He said the first loan payment for that project is included in this year's budget. Foisy said we will have to apply for a State Revolving Fund loan. He said this is the first big sewer project and one of the projects behind the raising of the sewer rates.

Schoenike pointed out the importance of this project, which in the last year the Public Works Department has fixed six breaks in the sewer force main.

**Resolution No. 3418, Resolution of Intent to increase Solid Waste Collection Assessment**

Motion by Labrie, second by Mahan to approve Resolution No. 3418, a resolution of intent of the City Council of Red Lodge, Montana, to increase the Solid Waste fees in 2016 and to set a date and time for a public hearing. On roll call vote all Aldermen present voted "Aye". Motion carried.

Motion by Foisy, second by Thompson to amend Resolution 3418 and add a number four to include the proposed amount of the increase to be 5%. On roll call vote all Aldermen present voted "Aye". Motion carried.

**RESOLUTION No. 3418**

**A RESOLUTION OF INTENT OF THE CITY COUNCIL OF RED LODGE, MONTANA TO INCREASE THE SOLID WASTE FEES IN 2016 AND TO SET A DATE AND TIME FOR A PUBLIC HEARING.**



**WHEREAS**, the City and Allied Waste Services of North America, LLC (hereinafter the "Contractor") entered into that certain Municipal Contract (For Residential, Small Commercial, Municipal Facilities and Source-Separated Recycling), dated July 1, 2013 (the "Contract"); and

**WHEREAS**, the City and the Contractor approved an Addendum to the Contract on May 24, 2016 which shall continue for an extended term through June 30, 2020; and

**WHEREAS**, the Solid Waste Fees in effect at the present time are not adequate to provide revenue to defray the increased cost of the City's Solid Waste contract; and

**WHEREAS**, the provision of Solid Waste services is essential to the preservation of the public's health and welfare; and

**WHEREAS**, the City is desirous to maintain its Solid Waste Fees commensurate with its costs for Solid Waste services as set forth in the Contract; and

**WHEREAS**, current budgetary requirements with respect to the operation of the City's Solid Waste program require an increase in Solid Waste fees for the budgetary fiscal year 2016-2017; and

**WHEREAS**, the City Council has determined that a public hearing must be advertised and held to gather public testimony and input regarding a proposed increase for Solid Waste Fees.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Red Lodge, Montana:

1. That the City Council of the City of Red Lodge considers it both advisable and necessary to increase the Solid Waste Fees; and proposes to increase the current fees by five percent (5%).
2. That a Public Hearing shall be held on September 13, 2016 at 6:00 p.m. in the City Council Chambers, at City Hall, Red Lodge, Montana, for the purpose of gathering and receiving testimony, input and comments from all interested or affected users, citizens, persons, associations, corporations and/or companies.
3. Notice of the Public Hearing shall be published in the Carbon County News, two times with at least six (6) days separating each publication, pursuant to MCA § 7-1-4127.

Introduced at a regular meeting of the City Council on August 23, 2016, by Council Member LaBrie.

**PASSED AND APPROVED** BY AT LEAST FOUR (4) MEMBERS OF THE RED LODGE CITY COUNCIL on this 23<sup>rd</sup> Day of August, 2016.

City of Red Lodge

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Michael Schoenike, Mayor

Attest:

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Loni Hanson, City Clerk

Schoenike said it has been six years since the last increase happened and looking at consumer price index inflation over that time has gone up by 10%.

Foisy said the 5% increase will not be a permanent solution. He said the City has \$50,000 less revenue than we are taking in from the fees that are on tax records for solid waste.

Schoenike said there will be a Public Hearing on this at 6:00 p.m. on September 13 at City Hall.

**MDT Highway 212 Project** Foisy said BRTA will host a meeting on August 31 at the Red Lodge Community Foundation at 5:00 p.m. and discuss the proposed plans for the MDT Highway 212 project and how it will affect the pathways.

**Other Public Works Items** Foisy said there are trash cans in Rotary Park now. He said they need to discuss trash collection in general and where the public can dispose of their trash.

**CITIZEN REPORT** Leon Odegaard had questions about the garbage at Lions Park not being picked up enough.

Schoenike said they will follow up on those.

Foisy said they are looking for volunteers for the REWIND event at First Interstate Bank on Saturday, August 27.

Dan Seifert said if anyone would like to volunteer, they meet every Wednesday at Coal Miner's Park at 6:30 p.m. to work on the trails.

**CORRESPONDENCE** Mahan said they received a thank you card from the Chamber of Commerce for the City's donation of \$500 for the fireworks.

Mahan said the Chamber after Hours will be at the Boys and Girls Club this Thursday from 5:00 p.m. to 7:30 p.m.

**MISCELLANEOUS** Thompson asked for permission to leave town from August 24 through September 4. Motion by Mahan, second by Brown to approve Alderman Thompson's leave. All Aldermen approved.

Labrie said the Fun Run will be September 3<sup>rd</sup>.

Meeting adjourned at 8:20 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

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Clerk

DRAFT