

August 26, 2014

The Red Lodge City Council met in regular session on August 26, 2014 at 7:00 p.m. The meeting was called to order by Mayor Williams followed by the Pledge of Allegiance to the Flag.

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

**DEPARTMENT HEAD ATTENDANCE:** Community Development Director – Forrest Sanderson, City Clerk – Debbie Tomicich, Interim City Clerk- Loni Hanson, Public Works Director – Jim Bushnell and Police Chief – Steve Hibler.

**MINUTES OF AUGUST 12 AND MINUTES OF ZONING REGULATIONS PUBLIC HEARING** Motion by Mahan, second by Labrie to approve the minutes of August 12 as submitted. On roll call vote those in favor: Aldermen Mahan, Larson, Labrie, Schoenike, and Brown. Those opposed; Alderman Foisy. Motion carried. Motion by Mahan, second by Labrie to approve the minutes of the August 12 Zoning Regulations Public Hearing as submitted. On roll call vote those in favor: Aldermen Mahan, Larson, Labrie, Schoenike, and Brown. Those opposed; Alderman Foisy.

**COMMENTS FROM PUBLIC REGARDING MATTERS WITHIN CITY JURISDICTION THAT ARE NOT ON THE AGENDA** None

**SPECIAL COMMITTEES:** Williams wanted to encourage anyone who has a trash container that can lock not properly or has been damaged to contact City Hall and they will put you on a list to have them replaced. Republic Services are about 30 days behind, but they will be replaced. He also wanted to remind everyone that feeding turkeys is illegal in town.

Williams stated that he had sent a letter to MDOT asking them to bring their project to a conclusion and get it prepared for winter. He asked them to finish the work between Robinson Lane and 3<sup>rd</sup> street. Desist the demo on the ADA corners and finish the corners that have been torn up for over a month. Finish the work on Brewery Hill and pave it before winter. He wanted to make sure that the project around the Fire and Ambulance Department is such that we can do snow removal and allow ingress and egress. He does not want it to be a dirt road there. Either do the mill and fill now or wait till next year. He wants them to finish up what has been torn up and not to start any new project, including the roundabout.

Mahan thanked the Mayor for writing a much needed letter.

Williams said the Parks Board has done an outstanding job working on the Comprehensive Park Plan and it is getting close to being done.

Williams stated that Debbie Tomicich, our long time clerk, is retiring on Friday and we are having a party that afternoon at City Hall to wish her well. Tomicich wanted to thank the Council and Mayor and said how much she has enjoyed the last 31 years working with everyone.

Foisy stated that the Parks Board met on August 13 and developed a FY 2015 budget for consideration by the council admin committee. The Parks Board held a public hearing on August 20 for the Comprehensive Parks Plan and the amendments and modifications will be incorporated by the contractor. They anticipate adopting the Plan at the September 17<sup>th</sup> meeting and recommending to the City Council adoption of the Plan as part of the Growth Policy.

Foisy stated that he attended the Tax Increment Finance Workshop on August 7<sup>th</sup> in Joliet. He said that the Tax Increment Finance strategy is a funding mechanism identifying capital improvement plans. He said that if you are going to implement a Tax Increment Finance district in the industrial area, it needs to be part of the Growth Policy. It needs to be discussed as an implementing goal in the Growth Policy.

Mahan said that they are pursuing completing the landscaping at the Chamber.

Larson said the Fire/Ambulance Oversight Committee met Wednesday, and they have changed the day they meet to the third Wednesday of the month at 11:00 at the Fire Hall. They are still trying to get the Medicare license switched over.

Labrie said the Cemetery Board met a couple weeks ago and they are going to be talking with Jeff Hunter about working on the mausoleum and getting an estimate on the cost of fixing it. She said that the mausoleum is an historic landmark and hopefully they will be able to get some grants to help fix it.

Brown said that she had attended meetings with the TBID Committee and the Library Board. She said that she was very impressed with the TBID Committee on how they are very motivated to pursue different ways to promote Red Lodge. One of their biggest goals is to try to convince people who come for one night, to stay for a second night.

Brown said that the Library Board has proposed a memorandum of understanding with the City. Their summer programs have been very positive especially their summer reading program which is hitting record numbers. They have worked hard this summer putting forth projects for the CIP. They are also in their final stages of putting together a survey for the community on evaluating the services they provide and how they can improve them.

**STANDING COMMITTEES: Administration-Drug and Alcohol Testing** Labrie stated that they have been working on the Drug Free and Alcohol testing policy. They have the resolution written and will be bringing it and the policy to the next council meeting. This was a recommendation to get this policy written and in place because the employee manual has a line

item in it for drug testing and it was never was done. The State also requires people who hold a CDL to be drug tested regularly and the City wants to comply with State regulations.

Labrie wanted to remind everyone that the Budget Hearing is on Tuesday September 2, at 5:00.

**Emergency Services** Larson said that they had a special meeting on the 18<sup>th</sup> at the Elks at 10:00 to discuss camping on City streets and they also had a meeting this afternoon where they discussed the issue.

**Land Use and Planning- Ordinance #908, 2014 Zoning Regulations, Public Hearing/2<sup>nd</sup> Reading** Mayor Williams opened the public hearing for the Ordinance #908, 2014 Zoning Regulations. No one spoke. Mayor Williams closed the public hearing.

Motion by Schoenike, second by Mahan to approve Ordinance #908, 2014 Red Lodge City Zoning Code and official Zoning Map #8 for the City of Red Lodge, Montana amending and replacing Title 12-4 of the Red Lodge Municipal Code on second reading. On roll call vote those in favor: Aldermen Mahan, Larson, Labrie, Schoenike, and Brown. Those opposed; Alderman Foisy. Motion carried.

#### **ORDINANCE NO. 908**

#### **AN ORDINANCE ADOPTING THE 2014 RED LODGE CITY ZONING CODE AND OFFICIAL ZONING MAP #8 FOR THE CITY OF RED LODGE, MONTANA. AMENDING AND REPLACING TITLE 12-4 OF THE RED LODGE MUNICIPAL CODE.**

**WHEREAS:** § 76-2-301 et. seq. of the Montana Code Annotated authorizes the City of Red Lodge to adopt and enforce local zoning regulation to promote the public health, safety, morals, or the general welfare of the community; and

**WHEREAS:** The provisions of Montana Law allow municipal governments to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of the lot that may be occupied; the size of yards, courts and other open spaces; and

**WHEREAS:** It is in the public and private interest for the City to establish use controls that limit the density of population; and the location and use of buildings, structures, and land for trade, industry, residence or other purposes; and

**WHEREAS:** The Red Lodge City Charter provides for the exercise of self-government powers; and

**WHEREAS:** The Red Lodge Planning Board and Zoning Commission prepared Zoning Regulations and a Zoning Map for the City of Red Lodge; and

**WHEREAS:** The Planning Board and Zoning Commission did on July 9, 2014 conduct a public hearing on the proposed regulations and map; and

**WHEREAS:** The Planning Board and Zoning Commission on a 7-0 UNANIMOUS roll call vote recommends that the City Council adopt by ordinance the Zoning Regulations and Zoning Map for the City of Red Lodge, Montana. And

**WHEREAS:** The Red Lodge City Council did conduct a duly noticed Public Hearing on August 12, 2014 on the proposed Zoning Regulations and Zoning Map.

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:

Title 12 Chapter 4 of the Red Lodge Municipal Code shall be the 2014 Red Lodge Zoning Regulations including Official Zoning Map #8.

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

1. The City Council of the City of Red Lodge adopts the 2014 Red Lodge Zoning Regulations and Official Zoning Map #8.
2. All ordinances or parts of ordinances inconsistent with the ordinance are repealed on the effective date of this ordinance.
3. It shall be the duty of the Community Development Director to maintain the official zoning map.
4. It shall be the duty of the City Clerk to file a certified copy of the Ordinance, the Zoning Regulations and Official Zoning Map with the Carbon County, Montana, Clerk and Recorder.
5. This ordinance shall be in full force and effect thirty (30) days after its final adoption by a majority of the elected members of the City Council

Shoenike stated that this was the second reading and the Planning Board had some discussion from the first reading about parking regulations. They had received a letter last week from Susan Foisy regarding her concerns on the parking. Shoenike wanted to reiterate that the Planning Board did hear those concerns throughout the process of updating the zoning. He said that back in 2010 when they created the zoning, they hired a consultant who brought in a subcontractor who was a specialist regarding resort communities. One of his tasks was to find parking standards. Those standards are the ones that were implemented in 2010. The current proposal continues to bring those standards forward. The Planning Board felt that all of the developments that have come through since those standards were adopted are over parked in their opinion. The standards that were in place before required a little less parking and the Planning Board felt that the projects that happened in the North corridor under the previous set of standards, including Sam's Taproom, the Hospital and the Bank of Red Lodge, are under parked, and they find people were parking out into the highway and other areas where parking is not appropriate. The Board did address concerns about parking in other ways by providing options for offsite and shared parking. They did address other concerns regarding larger parking lots, such as just the large open spaces, with stronger standards in terms of vegetation and shading. The Planning Board felt that they had adequately addressed the issue.

Mahan stated that she agreed with Shoenike and the Planning Board.

Brown appreciated what Shoenike said. She felt there were some strong cases made for looking at it again and that the Planning Board did considerate this carefully. She also wanted to pay attention to the projects that come up in the next few years and if they find there is more parking than is needed, there are mechanisms to revisit that. She felt comfortable in supporting the Planning Board's recommendation.

Foisy stated that he was not sure that our zoning provisions will be able to insure that the development in the community entrances, and particularly the North Corridor, will not adversely affect the viability of the downtown core. Given that almost any type of land use is allowed in the North Corridor, with accommodations for auto-oriented parking not afforded to downtown, a separate competitive business district could develop. He thinks we would be well served by a North Corridor area master plan, of which there was a request for proposals prepared by the City of Red Lodge back in May 2007, but no plan was completed. The plan would, among other purposes, accomplish objectives that insure that the streets, public space and land use design in the North Corridor complement the viability of downtown Red Lodge. He would like us to consider the development of such a document in the future through the State CDBG Planning Grant Program.

Shoenike said at the next meeting they plan on tasking the Planning Board to begin looking at the annexation policy, so that we can update that portion of Title 12. They had a brief discussion today at their meeting about chickens. He said the committee will be doing some research on that matter.

**Public Works- Appointment to Parks Board, Paul Otsu** Mayor Williams would like to appoint Paul Otsu to the Parks Board.

Motion by Mahan, Second by Shoenike to approve the appointment of Paul Otsu to the Parks Board. On roll call vote all Aldermen present voted "Aye." Motion carried.

Paul said that he liked the outdoors and the Parks Board would give him another outlet to help bring adventure and appreciate the great outdoors that Red Lodge has to offer and that he looked forward to the opportunity.

Mahan thanked Paul for wanting to join the Parks Board.

Foisy stated that at the next meeting there will be a resolution for action to name the dedicated park behind Mountain Springs Villa, Phillips Park.

Foisy said that the contractor for the Captial Improvements plan should be here in September and meet with the Council and committees.

Foisy added that at the next meeting there will be discussion on the proposed ordinance on snow removal on the sidewalks. There will be proposed action for a resolution to modify the fees for the use of the City Pool. There will be an ordinance for discussion on the use of Polyethylene and

PVC pipe in our water system. Also at the next meeting there will be an action item to dedicate Holly Valley Lane and Kainu Avenue.

Foisy said that at their committee meeting the Public Works Director stated that in the last week there have been two breaks in the sewer force main, which is a huge capital expense and that project has been added to the Capital Improvement plan.

Williams said that the sewer force main was put in around the late 1980s as part of the golf course development. The pipe was not bedded properly and the pipe is very brittle. He said that we will continue to have problems with this and will have to come up with a plan to fix it. He also wanted to commend the Public Works Department for doing such a great job in handling the breaks.

**Citizen Report** none

**Correspondence-** Sanderson stated there nothing other than what was included in the council packets.

**Miscellaneous-** Foisy said that the Fun Run is on Saturday.

Williams commented that last Thursday he was involved with the Police Department in the search for a missing person. He said that it was a coordinated effort between the Carbon County Sheriff's Department, EMS, Fire Department, Search and Rescue and the Red Lodge Police Department. It was about 7:30 p.m. when they found out they had a missing person, by 11:30, that person had been found near the top of a mountain in a very difficult place to get them out. He said that everyone involved did an outstanding job.

Williams said there will be an afternoon with the Mayor at the Elks this Thursday at 5:00. He encourages everyone to come.

Mahan said that the community is losing Vern Larson, the best disposal engineer this community has ever had. He and his family are moving to Arizona and this will be his last week with us. She encourages everyone who sees him to give him a pat on the back.

Meeting adjourned at 7:35 p.m.

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Mayor

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Attest

