

October 8, 2013

The Red Lodge City Council met in regular session on October 8, 2013 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 Foisy, Mahan, Larson, Labrie, Schoenike and Williams. Absent: None.

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

CLAIMS AGAINST THE CITY Motion by Labrie, second by Williams that claims against the City totaling \$209,966.86, 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 told the Council there was a claim from Bailey’s Construction Services in the amount of \$20,546.25 for the patching of street cuts. Wilson Brothers submitted a claim which should be the final one for the projects they have done totaling \$34,628.22.

OFFICERS REPORTS The officer’s reports were presented to the Council for their review. Mayor Roat said the water loss was down to 22% but he is not sure if this is due to the Broadway Water Rehab Project or not.

COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS None

SPECIAL COMMITTEES Schoenike said he received an e-mail from Tim Weamer today stating that by the end of the week the committee can review the work that has been done on the website.

Larson said the new shelving at the library has been installed and looks very good. He gave thanks to Red Lodge Mountain for sending their maintenance people to help put the shelves together. They did a lot of work and were much appreciated.

Foisy told the Council that they were all given a schedule for the public meetings that will be held regarding the Comprehensive Parks Plan. The Parks Board hopes for good attendance at these meetings so the plan can be shared by everyone.

STANDING COMMITTEES – ADMINISTRATION – Agreement with Carbon County – Use of Roto-Millings Airport Road Sanderson said the millings will come from the project on Highway 212 that is planned for next spring. The County has a commitment from MDT to deliver the roto-millings. The City still needs to have a written agreement on this project with the County before any decisions will be made or before we move forward very far. Commissioner Prinkki will be at the October 22 Council meeting with a draft agreement for the Council to review and consider.

Williams asked if they could get an estimate on the cost of the realignment of the road from the survey that will need to be done. Sanderson said he would be in contact with Red Lodge Surveying for this.

Resort Tax Amendments Labrie said the Administration Committee is reviewing the proposed Resort Tax amendments with some changes being made but they hope to bring it to the whole Council at the next meeting with their recommendations. Labrie said there are some significant changes to the format of the Ordinance. Hopefully when it’s done it will be easier for all to understand.

Proposed Improvements at Airport Motion by Labrie, second by Williams to approve the proposal to improve the Red Lodge Airport as submitted by the Airport Improvement Committee. On roll call vote all Aldermen present voted “Aye.” Motion carried.

There will be no cost to the City with the proposed improvements. There is no budget to accommodate this proposal.

CONSTRUCTION AGREEMENT – MDT RED LODGE SOUTH Motion by Labrie, second by Larson to approve the Construction Agreement between the State of Montana Department of Transportation and the City of Red Lodge with respect to Federal Aid Highway and adjacent pedestrian facilities project. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Amendment to motion by Labrie, second by Mahan to include item (K)(1) as proposed by MDT into the agreement. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Sanderson spoke to an adjustment that came from MDT in the agreement. It is in section 7-(K) where MDT proposes to add (K)(1) which reads “City owned encroachments requiring relocation include electrical pole boxes on the southwest corner of 10th, 11th, 12th, and 13th Streets. The City agrees to coordinate the relocation of these pole boxes with their owners. The relocation will occur during the construction of the project and will require coordination with the State’s contractor. The State agrees to pay the City’s cost for these relocations.” Sanderson said this change is vital to the interest of the City so he recommends an amendment to the motion acknowledging item (K)(1) as read.

Sanderson said that MDT will, at a minimum, do all of the intersections from 8th Street going south and make them ADA compliant. If there are areas in the core of downtown, 8th Street to 19th Street, that need to be replaced the State may do them at this point in time. Nothing will be done unless it is necessary.

Schoenike said that in looking at Exhibit A of the agreement it looks like there may be midblock crosswalks in some of the blocks. He asked if the State was now planning for midblock crosswalks as he is concerned with this and asked if the City needs clarification. Sanderson said that Exhibit A showed the midblock crosswalks on the side streets going east and west so it would be something the City would do and for now there is no interest in doing so. Schoenike said it was not clear in the Exhibit which street was Broadway and which were the side streets.

Mayor Roat asked the Council what they thought about the sidewalk maintenance obligation to maintain the sidewalks adjacent to both sides of Broadway from Pitcher Lane to 8th Street. This includes removing snow and maintenance of the sidewalks which the City does not do at the present time. He said the State does this. Sanderson said that technically the City has this obligation already within the corporate limits. He said when the Council amended the snow removal ordinance to not require snow removal anywhere except in the Central Business Zone they violated the agreement with MDT. Sanderson said the City needs to amend the ordinance to be back in compliance with prior agreements inked with MDT.

Cemetery Ordinance No. 901 – 2nd Draft Labrie said the Council has finally received a draft ordinance from the City Attorney but the Administration Committee is less than pleased with the contents. They will be doing extensive revisions on the ordinance before they bring it back to the Council as a whole to review. Williams said as is it is not workable and the document is not a good one.

Mayor Roat said the cemetery could be annexed into the City or thoughts of a Cemetery District could be considered. This would bring money into the City to help with the costs from the County residents also.

POLICE AND EMERGENCY SERVICES Mahan said they discussed with the Police the yellow curb

stripping that could become a problem. Sanderson said that this is something MDT will take care of at some time. The traffic sign study that Chief Pringle is working on is not yet completed. The new ambulance that was recently purchased is costing less to run, especially in fuel. Another new ambulance is being purchased with grant funds. It will be a four wheel drive box ambulance.

Foisy said the Fire Chief was instructed to write an article on the ladder truck that will go to the newspaper. This article will be brought to the committee. Foisy said they are pursuing grant funds to purchase another message board and speed trailer. He said they asked the police and fire departments to recommend equipment and supplies they need to purchase so these grant funds can be looked at to help.

Mahan said they also talked about snow removal and having access to equipment in an emergency and to let these departments know who to talk to in the public works department. Boyer told them that Jim Bushnell would be the one to contact.

LAND USE AND PLANNING – Growth Policy Schoenike said the Land Use and Planning Committee went through the recommendation given by the Planning Board on the Growth Policy. The committee made some edits and they will have a clean copy to send to the rest of the Council when they are finished making any changes. The plan is to send a copy that will show the original Planning Board recommendations and then show the changes of the Land Use and Planning Committee so both can be seen.

Sanderson said the Planning Board will be meeting October 9 to review a conditional use permit and design review on a multi-family condo project on 2nd Street and North Haggin. If they get through all the issues at this meeting the Council will see the project in two weeks at their next Council meeting.

PUBLIC WORKS – Grant Application – CDBG – Capital Improvement Plan Preparation Schoenike said the Public Works Committee is looking towards moving forward on the submittal of a grant application to CDBG for \$30,000 which would require \$10,000 in matching funds. This grant application would be done so the City can do a CIP.

Motion by Schoenike, second by Mahan to approve moving forward with the grant application for a CDBG grant for the preparation of the CIP. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Foisy said applications can be accepted November 1, 2013 and since this is a first come first served grant it would be beneficial to the City to get the grant submitted at this time.

Accept Land Dedication – Water Works Road Motion by Mahan, second by Schoenike to accept the land dedication from the Palmer’s on water works road. On roll call vote all Aldermen present voted “Aye.” Motion carried.

Mr. Palmer was thanked for dedicating the land to the City.

Mahan said the Committee will be letting the State know that the plowing of Broadway was not done very well with this snow. Hopefully there will be improvement by the next snow storm and it will be easier for driving. Mahan said she would speak to Boyer about talking to the State as he has a good relationship with the workers and we want to keep the good will going between the State and the City.

CITIZEN REPORT None

CORRESPONDENCE Sanderson said there was a notice of the hearing before the Public Service Commission on the street light tariff. He said that past actions of the Council is that the City would not get

involved.

There was notice from the MDT attorney stating there was no action on the Legnini case.

There is a letter from the City to DEQ requesting permission for a new permit for our sewer discharge and no further action is required.

The City received an offer to purchase Lot 2 on Cooper Avenue that is owned by the City. The offer is for \$15,500 which is significantly less than our \$27,000 asking price. The answer the Council needs to give is whether or not they want to counter offer, reject or sell.

Motion by Williams, second by Mahan that the City counter offer at a price of \$24,000 for Lot 2 and if they want to buy both Lot 2 and Lot 5 the offer is \$45,000. On roll call vote all Aldermen present voted "Aye." Motion carried.

Both of these lots have water and sewer extended to the property line.

Schoenike asked if there was an update on the lift station easement. Sanderson said that Chad Hanson is in the process of rounding up the files on the work that was done by HKM and some of them were transferred to Sanderson Stewart. Once he has this information he will then pursue an alignment for the interceptor and will hopefully have all the information by the end of the year. Then the City should know who to visit with on this.

MISCELLANEOUS Labrie, Larson and Foisy will be attending the League of Cities and Towns in Helena October 9 – 11.

Mahan said a candidate forum will be held at the Elks Club on October 24 at 7:00 p.m.

Meeting adjourned at 7:00 p.m.

ATTEST:

Mayor

City Clerk