

September 24, 2013

The Red Lodge City Council met in regular session on September 24, 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 and City Clerk – Debbie Tomicich.

**MINUTES OF SEPTEMBER 3** Motion by Mahan, second by Labrie to approve the minutes of September 3 as submitted. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**MINUTES OF SEPTEMBER 10** Motion by Mahan, second by Labrie to approve the minutes of September 10 as submitted. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**COMMENTS FROM PUBLIC REGARDING AGENDA ITEMS** None

**SPECIAL COMMITTEES** Schoenike said he received an update from Tim Weamer regarding the City website. Weamer said that he is moving forward but at the present time there is not much progress that can be readily seen yet. He told Schoenike that he will have a skeleton outline by mid-October that can then start being filled in with the correct information.

**OLD BUSINESS – Abandonment of a Portion of Daly Avenue** Motion by Schoenike, second by Mahan to adopt Staff Report VACATION-13-1 as findings of fact. On roll call vote those in favor: Aldermen Foisy, Mahan, Labrie and Schoenike. Those opposed: Aldermen Larson and Williams. Motion carried.

Schoenike said that one of the most compelling bits of information for him was the plat that was filed as part of the Kiley v.s. Red Lodge at Island at Rock Creek where a large portion of Daly Avenue was acknowledged by the Council as abandoned. He said the other piece of information that struck him was the items at the County that refer to the adjacent abandoned Daly Avenue. Schoenike commented on the lack of clear records regarding this portion of Daly Avenue due to things like a fire that occurred many years ago. Williams said he understands Schoenike’s concerns and he said the biggest problem he had is the City Growth Policy as it states the City will maintain as much of the creek frontage as it can.

Foisy said he attended the Parks Board meeting and they confirmed that their opinion was the same as what was stated in the letter submitted by Dan Seifert with his eleven points as to why the City should not abandon this portion of Daly Avenue. Schoenike said he had hoped the Parks Board would give more concrete ideas as to what they would like to see done with this land as he felt the letter submitted was rather vague.

Williams said he met with the Public Works Director and that Boyer indicated he would prefer the City keep the property as there is work that needs to be done to protect the creek and the right-of-way for erosion control.

Mahan said she feels the area is quite dangerous the way it is now. She said there are no barricades to prevent anyone from going over the edge of the bank.

Mayor Roat said if Boyer did any work in the area he would need to be on Starkovich’s property and it would be a hard job to do. The Mayor said the City should only keep the property if it is more useable to the City than the adjacent owner to the property.

Motion by Schoenike, second by Labrie to approve the abandonment and vacation of the trapezoidal remnant of the Daly Avenue right-of-way adjacent to Lot 1, Block 32, RLOP subject to the following conditions:

1. That any use of development of the property be in accordance with the prevailing zoning on the subject property at the time of development.
2. That an easement is hereby reserved for any and all existing public utilities that may be located on, over or under any portion of the property to be abandoned and vacated.
3. That the applicant shall at their sole expense provide for the preparation of a survey that defines the resulting ownerships and easements for public utilities as a result of the abandonment and vacation of the trapezoidal remnant of the Daly Avenue right-of-way adjacent to Lot 1, Block 32, RLOP. On roll call vote those in favor: Aldermen Mahan, Labrie and Schoenike. Those opposed: Aldermen Foisy, Larson and Williams. Mayor Roat broke the tie by voting "Aye". Motion carried.

#### **ADMINISTRATION – Agreement with Carbon County - Use of Roto-Millings – Airport Road**

Schoenike said that the road being discussed to be potentially paved is partly outside the currently plated right – of-way and part of it is on private property and before anything is paved the City needs to make sure that we have the correct placement of the road surveyed. Schoenike said that before anything further is done the City needs to clarify exactly what the County is proposing in terms of what they would pay for and what the City would pay for. The City would also need the proposal put in writing before any commitments are made. Mayor Roat said his understanding was that the project would go from the junction of White Avenue and Airport Road to an area next to the runway. It would go west, to the City limits, to the Remington Ranch gate. He was told this was correct.

Williams said that part of the property where the curve in the road is, is on private property. Williams said that if the City is to do this it needs to be in the right location. He said that while the City is waiting for the needed information from the County we should get an estimate on the cost of this area being surveyed. Williams would like to have a clear idea on the total cost to the City if this project with the County is to be done.

Sanderson said that Commissioner Prinkki will attend the October 22 Council meeting to visit with the Council regarding this project. Sanderson said if this project is to be done the road needs to be put in its right-of-way and where it belongs as well as to clean up the issue at the Triple S property and he said he believes the City has some encroachments onto Ransdell ownership. The survey would answer these questions. He said he will get an estimate on the cost of the survey. Again everything needs to be put in writing so the County and the City are aware of all costs and what will be done with this project.

**Rocky Roberts – Blue Ribbon Bar – Street Closure** Rocky Roberts gave the Council a recap on the Beartooth Rally, held in July of 2013. He presented the City with two checks in the amount of \$500 each for the current rally year and the 2012 rally year. This donation is to help the City pay for the costs they incur with this event being held each year. Roberts said he feels the street dance that is held during the rally week generates a lot of good will and also helps make for a positive event for the weekend. Roberts also said he felt the law officers did a very good job at the Beartooth Rally and he thanked them. He said the event went well again this year but he thought the attendance was down but that the people who came participated better in all the events that were held. Roberts said the proposal is there to pay the extra \$500 again for the 2014 Beartooth Rally street dance closure. This will be on top of the regular fees that will be due with the application.

**POLICE AND EMERGENCY SERVICES – Ladder Truck – Condition and Safety Report** Larson said that since the first of the year the Police and Emergency Services Committee have been discussing the ladder truck. Larson said that Tim Ryan submitted a report that said there are mechanical, electrical and structural defects with the ladder truck. Some of the problems have been fixed but some have not. Larson said some of the main things are electrical, high idle control, the rung alignment indicator and failure of rung illumination. The estimate for repairs that was given a few years ago was in the \$10,000 range. Chief Kuntz would like to take the aerial part of the truck out of service and just use the truck as a pumper as the pump still functions. The ladder truck is twenty-six years old and the City has had ownership for the last twelve years.

Mayor Roat encouraged the Council to pursue the information he gave them on the new sixty-five foot ladder truck that is being considered. This truck costs a little more than a pumper truck. Chief Kuntz has not expressed an opinion on the new ladder truck being advertised.

Mayor Roat said it would be a good idea to set policy stating that no personnel will use the ladder portion of the ladder truck. The committee agreed with this.

Mahan said the City has owned the new ambulance for two months now and that the fuel savings in this time has been approximately \$1500. This ambulance is used a great amount of the time and is proving itself to be a very sound investment.

Chief Pringle is doing a survey of all the traffic signs in the City. There are a number of locations where the sign might be misplaced, foliage needs to be cut back in places and the Chief will get with the Public Works Director to decide on what needs to be done.

Mayor Roat said the City Crew put white reflective tape on the signs in the school area so that the time allowance was covered. The signs now show the speed to be 15 mph at all time.

**LAND USE AND PLANNING – Growth Policy – Comment Period Closed** Sanderson reported that the comment period on the Growth Policy is now closed. Sanderson asked the City Clerk if any additional comments were received on the Growth Policy and he was told that she has not received any comments.

Sanderson said that since the public comment period and the public hearings are completed the Land Use Committee will make a review of the policy and then make their recommendations to the full Council no later than the second meeting in October. Schoenike said that consideration will be given to all the comments that were made.

**PUBLIC WORKS – Lift Station – Update/Interceptor Easement** Mayor Roat said that parts for major repair to the lift station have been ordered with the delivery process speeded up. The Mayor said he was going to check with land owners regarding the interceptor easement to what their feelings are regarding easements across property but the City has no engineering report as to what property the City may want to go across. The Mayor said he will still do this as soon as he finds out which route the City should take.

The Public Works Director said he would speak to the party with the dumpster on 14<sup>th</sup> Street and Oakes to see if they could please have it moved. It appears that the dumpster is no longer being used.

The Public Works Committee discussed the CDBG Planning Grants that will be coming available. Their thought is to pursue a grant to be used for implementing a Capital Improvement Plan. These grants are first come first served. They are a \$30,000 grant with a \$10,000 match but it is felt that it could be very useful to the City as a CIP is very much needed. The Council said they are in favor of the committee going forward with an application for a CDBG Grant.

**CITIZEN REPORT** Patty Davis reported to the Council that the Christmas Stroll will be held this year on December 6 and December 7. The street closure of 8<sup>th</sup> Street to 14<sup>th</sup> Street will be from 4:00 p.m. to 9:00 p.m. All the appropriate work has been done by getting permission from the State and also having the required insurance to have this event. The west side of Broadway will be used for the non-profit booths to be set up with the east side being left open for emergency services and wagon rides.

Davis said that Sisters on the Fly might be submitting an application for a street closure for the west side of 11<sup>th</sup> Street so they can park their trailers. If they do so the application will be upcoming.

Stephen Vaile said he lives on Great Blue Way which is in the Woodlands development down by Two Mile Bridge Road. He said that across the road from where he lives, on the City property, a lot of material is being brought in and the land is being leveled out. He just wondered what was being done. Mr. Vaile was told that a fire training facility will be placed there for the City and Rural Fire Departments.

Vaile brought up mental health issues and articles that were in the Carbon County News regarding this issue. Vaile said that the National Association of Mental Health is putting together a task force to form a support group for mental health clients. He said that Red Lodge has been targeted as a community to establish a task force and develop a support group for adolescents, adults, veterans and etc. Vaile said there will be a meeting held September 26 at R.L. Pizza Company at 5:00 p.m. to start the brainstorming on this issue. Vaile said he would like to help represent the City with this and Mahan said she would also be more than willing to attend the startup meeting. Schoenike said he would also be willing to attend if his schedule will allow.

Rocky Roberts told the Council that he will be working towards bringing the Mission Mountain Wood Band to Red Lodge to have a concert in August of 2014 probably at the Rodeo Grounds and to perhaps expand with a blue grass country festival which may require camping on City property.

**CORRESPONDENCE** None

**MISCELLANEOUS** None

Meeting adjourned at 8:30 p.m.

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Mayor

ATTEST:

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City Clerk