

April 9, 2024

The Red Lodge City Council met in regular session on April 9, 2024 at 6:00 p.m. The meeting was called to order by Mayor Westwood, followed by the Pledge of Allegiance to the Flag.

**ROLL CALL OF OFFICERS:** Present: Mayor Westwood, Aldermen Conlee, Daniels, Keys, Miller, Ronning and Toupin.

**DEPARTMENT HEAD ATTENDANCE:** City Clerk – Loni Hanson and Public Works Director- Mike Maples.

**ADOPTION OF AGENDA:** Motion by Conlee, second by Daniels to approve the adoption of the agenda. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**MINUTES OF MARCH 12 and MARCH 26, 2024** Motion by Keys, second by Ronning to approve the minutes of March 12 and March 26, 2024 as presented. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**WARRANTS PAYABLE** Motion by Ronning, second by Toupin to approve warrants against the City totaling \$217,474.27 to be paid and warrants drawn on their respective funds. On roll call vote all Aldermen present voted “Aye.” Motion carried.

**MAYOR’S BUSINESS- Mayor’s Reports** – Mayor Westwood said the trash at the Eagles Nest has been picked up and taken care of.

Mayor Westwood said he will be attending a conference the first week of May and one of the big topics is budgets from start to finish. He said department heads will be giving presentations on their budgets.

Mayor Westwood said the audit is available on the City’s website.

**Airport Negotiations Update-** Mayor Westwood gave an update on the airport agreement negotiations.

**Other Mayor Comments-** Mayor Westwood said the City received three responses for contracted planning services and he is working with an advisory committee on going through those responses.

**Montana Fish, Wildlife & Parks- Bear Aware Presentation-** Daniel McHugh, FWP Region 5 Bear Specialist, gave a presentation on Bear Aware.

**PUBLIC COMMENTS ON THE AGENDA-** None.

**ACTION ITEMS- Ordinance No. 968, Set Process in which Fees are Collected for Solid Waste (Public Hearing, 2<sup>nd</sup> Reading)** Mayor Westwood opened the Public Hearing on Ordinance No. 968.

No one spoke.

Mayor Westwood closed the Public Hearing.

Motion by Keys, second by Conlee to approve Ordinance No. 968, an ordinance of the City Council of the City of Red Lodge, Montana to set the process in which fees are collected for solid waste services on second reading. On roll call vote all Aldermen present voted “Aye.” Motion carried.

There was discussion between Mayor and Council on Ordinance No. 968.

**Ordinance No. 968**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RED LODGE, MONTANA TO SET THE PROCESS IN WHICH FEES ARE COLLECTED FOR SOLID WASTE SERVICES.**

**WHEREAS**, the City and Republic Services, Inc. (hereinafter the "Contractor") entered into a Municipal Contract (For Residential and Municipal Facilities), approved by the City Council on June 9, 2020 (hereinafter the "Contract"); and

**WHEREAS**, the City and the Contractor entered into the Contract valid for a five year term ending June 30, 2025; and

**WHEREAS**, the Solid Waste Fees in effect at the present are adequate to provide revenue to defray the cost of the City’s Solid Waste contract; and

**WHEREAS**, the Solid Waste Fees is currently collected through a utility assessment on the Citizen’s yearly taxes; and

**WHEREAS**, the audit completed for FY2022-2023 identified a budget short-fall based on the manner in which fees are currently being collected; and

**WHEREAS**, the current budgetary requirements, with respect to the operation of the City’s Solid Waste program, require fees for Solid Waste services be collected in the month services are rendered; and

**WHEREAS**, the City is desirous to set the process in which Solid Waste fees are collected; and

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

1. The City of Red Lodge shall not, and is not, increasing any rates for the payment of Solid Waste fee, not already approved or provided for; and
2. The City of Red Lodge shall modify the process in which said fees are collected by removing the utility assessment from individuals’ taxes, already in existence, and placing said payment for Solid Waste onto the monthly utility bill; and
3. The City of Red Lodge hereby resolves to collect the already approved Solid Waste fees by billing residents monthly, on the monthly utility bill, in the month in which the services are rendered.

**Effective Date of Ordinance** This Ordinance shall be effective 30-days after approval of second reading by the City Council of the City of Red Lodge, Montana.

**BE IT ORDAINED BY MEMBERS OF THE CITY OF RED LODGE:**

**PASSED AND APPROVED** on the first reading by a majority of the members present of the City Council of the City of Red Lodge on the 26<sup>th</sup> day of March, 2024.

**PASSED AND APPROVED** on the second reading by a majority of the members present of the City Council of the City of Red Lodge on the 9<sup>th</sup> day of April, 2024.

City of Red Lodge

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

Dave Westwood, Mayor

**Resolution No. 3622-1<sup>st</sup> Amendment, Resolution Setting Business Registration Fees-** Motion by Ronning, second by Keys to approve Resolution No. 3622-1<sup>st</sup> Amendment, a resolution of the City Council of the City of Red Lodge setting business registration fees. On roll call vote all Aldermen present voted “Aye.” Motion carried.

There was more discussion among Council members on Resolution No. 3622, 1<sup>st</sup> Amendment.

**RESOLUTION NO. 3622, 1<sup>ST</sup> AMENDMENT**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RED LODGE SETTING BUSINESS REGISTRATION FEES**

**Whereas**, the City Council of the City of Red Lodge duly adopted Ordinance 907 on June 10, 2014 requiring all businesses located and/or operating inside the city limits to obtain a valid City Business Registration Certificate and pay a business registration fee; and,

**Whereas**, Ordinance 907 states that the City Council shall by resolution set the fee schedule for business registration, appropriate inspections, and related matters to be applied to all businesses that the City registers; and,

**Whereas**, the City Council shall by resolution classify businesses into separate categories and fees.

**Now therefore be it resolved** that the City Council of the City of Red Lodge establishes the following classifications of categories and rates for services relating to business registration.

**BUSINESS REGISTRATION FEE SCHEDULE:**

TIER I	\$100
TIER II	\$200
TIER III	\$250

**CLASSIFICATIONS:**

TIER I- GENERAL/SERVICES: Any Business that does not specifically fall within one of the other categories below, including, but not limited to businesses that may or may not collect resort tax, such as contractors, businesses that provide a personal service, retail business, and home-based businesses.

TIER II- TEMPORARY VENDORS: Businesses that don't operate more than 90 days within city limits. These businesses shall collect resort tax.

TIER III- LODGING AND PREPARED CONSUMABLES: Lodging and accommodation such as Hotels, Motels, Bed and Breakfast, and Short-Term rentals. Businesses that sell prepared foods, drinks, and smoke products. This includes restaurants, gas stations, grocery stores, temporary vendors that sell prepared food, bars, liquor stores, marijuana dispensaries, and smoke shops.

All fees are non-refundable.

When a business may fall into multiple applicable tiers, only the highest tiered fee shall apply- e.g., If a retail business also serves prepared food, only Tier III fee would apply.

These rates to become effective on July 1<sup>st</sup>, 2024.

PASSED by the CITY OF RED LODGE City Council and approved this 9<sup>th</sup> day of April, 2024.

By: \_\_\_\_\_  
Mayor

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

**Resolution No. 3647, Resolution of Intent to Award Phase 2 & 3 of Stormwater Project-** Motion by Conlee, second by Daniels to approve Resolution No. 3647, a resolution of intent to award the phase 2 & 3 stormwater system improvements project for the City of Red Lodge, Montana. On roll call vote all Aldermen present voted "Aye." Motion carried.

There was more discussion among the Mayor, staff and Council regarding Resolution No. 3647.

**RESOLUTION NO. 3647**

**RESOLUTION OF INTENT TO AWARD THE PHASE 2 & 3 STORMWATER SYSTEM IMPROVEMENTS PROJECT FOR THE CITY OF RED LODGE, MONTANA.**

**WHEREAS**, the City opened bids on March 14, 2024 and received four bids;

**WHEREAS**, Great West Engineering, Inc. (the Engineer) provided an award recommendation letter dated March 21, 2024 recommending award to the low bidder, Wilson Bros Construction of Montana, Inc. for all three schedules of the project.

**WHEREAS**, A SRF Loan will be secured to cover the construction costs of the project;

**WHEREAS**, the award recommendation letter includes an estimated stormwater utility rate increase based on various award options;

**WHEREAS**, the final user rate increase to the stormwater utility will be at or below the estimated cost presented in the award recommendation letter and will be finalized through future resolution(s).

**NOW, THEREFORE, BE IT RESOLVED,**

The City of Red Lodge does hereby approve the intent to award the construction contract to Wilson Bros Construction of Montana, Inc. for Schedules 1, 2, & 3 for a total construction cost of \$3,153,295.00.

**PASSED AND ADOPTED** by the City Council of the City of Red Lodge at a regular session thereof held on the **9th** day of **April 2024**.

For the City of Red Lodge, Montana:

\_\_\_\_\_  
Dave Westwood, Mayor

Attest: \_\_\_\_\_

Loni Hanson, City Clerk

**CORRESPONDENCE-** Any correspondence was included in Council packets.

**OTHER COUNCIL BUSINESS:**

**PUBLIC HEALTH AND SAFETY-** Alderman Conlee said the committee talked about fireworks and if the Council would like to see a change in allowing them to be in the City limits only on the 4<sup>th</sup> of July. Alderman Conlee said they also discussed the Public Safety district, annexing the three subdivisions that the City currently supplies sewer services to and also discussed the possibility of using Resort Tax for an additional police officer.

**ADMINISTRATION AND FINANCE-** Alderman Ronning said the committee talked about the budget and ways to help the general fund budget. She said they also discussed getting the word out on the process of looking into changing the City's form of government with a vote to create a study commission that does the work on that change. Ronning said they also discussed the audit findings.

**LAND USE AND PLANNING- Abandonment of Right of Way-** Alderman Conlee said they discussed the ROW abandonment application for Daly Avenue for lots 4 and 5. There was more discussion among Council and the Mayor on the abandonment.

**City Pasture Lease-** Alderman Conlee said the committee discussed the pasture lease between the City and Jim Bushnell and Eric Bottorff. She said there are some things missing within the lease including the legal description of the city land being leased. Alderman Conlee said the committee recommended that the lease continues for this year but the lease will need to be updated before next year.

There was more discussion among the Mayor and Council regarding the City pasture lease.

**PUBLIC WORKS- Resolution No. 3648, Resolution to Enter into an Agreement with All Nations Garden Club-** Alderman Keys said the City had an MOU executed with the All Nations Garden Club over a year ago, but without the direction of City Council. She said resolution no. 3648, is authorizing the City to enter into an

agreement with the All Nations Garden Club. Keys said the committee would like to have this resolution up for action at the next City Council meeting.

**Other Public Works items-** Alderman Keys said the committee also discussed the readdressing project and the possibility of sending letters to the 150 addresses that will be affected by this project and receive any feedback from them. There was more discussion among Council regarding the readdressing project.

Alderman Keys said they also discussed impact fees. She said Mike Maples, Public Works Director, asked to wait on these until the CIP is complete.

**PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA-** None.

Meeting adjourned at 7:48 p.m.



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Mayor

ATTEST:



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City Clerk

Disclaimer: These minutes conform to the requirements of MCA Code 2-3-212. A full recording of the meeting and discussion may be found at [www.cityofredlodge.net/meetings](http://www.cityofredlodge.net/meetings).