

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 26th 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 XX day of XX, 2024.

City of Red Lodge

Dave Westwood, Mayor

Attest:

Loni Hanson, City Clerk

RESOLUTION NO. 3622, 1ST 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, stays of 30 days or less. Businesses that sell prepared foods, drinks, and smoke products. This includes restaurants, gas stations, grocery stores, 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 1st, 2024.

PASSED by the CITY OF RED LODGE City Council and approved this ____ day of ____ 2024.

By: _____
Mayor

ATTEST By: _____
Loni Hanson, City Clerk

City Council Rules of Procedure

Red Lodge, Montana, City Council Rules of Procedure

March 26, 2024

Part I. General

Provisions

Section 1.

These rules are supplementary to the provisions of Title 7, Chapter 1, Part 41, MCA, Title 7, Chapter 5, Parts 41 and 42, MCA and Title 2, Chapters 2 and 3, MCA, as they relate to procedures for conducting meetings and public hearings before the City Council of the City of Red Lodge, Montana.

Section 2.

To assure effective participation by all members of the Council and to protect the right of participation by all individuals appearing before the Council, all Council meetings and hearings shall be conducted in conformance with "Robert's Rules of Order" Newly Revised, 12th Edition (2020) except as otherwise provided by law or by these Rules.

Part II. Duties of the Presiding

Officers

Section 1.

The presiding officer of the Council shall be the Mayor who shall arrange the meeting agenda, coordinate the affairs of the Council and preside at meetings of the Council.

Section 2.

In the absence or disability of the Mayor, the President of the Council shall serve as its presiding officer and may vote as other members of the council. In the absence of the Mayor and of the President of the Council, the Council shall select one of its number to serve as its temporary presiding officer.

The clerk of the Council shall record and maintain **legally sufficient** minutes of the Council's proceedings, showing the vote of each member upon every question, or if failing to vote, indicating that fact; shall keep records of its examinations and other official actions; shall summarize briefly and accurately the substance of all matters proposed, discussed or decided; shall record the names and addresses of all persons appearing before the Council; shall, subject to the direction of the Council and presiding officer, conduct the correspondence of the Council; shall file said minutes and records in the office of the Council, which minutes and records shall be a public record; and shall be the custodian of the files and records of the Council.

Part III. Meetings

Section 1.

Regular meetings for the transaction of City Business shall be held the second and fourth Tuesday of each month. Meetings will begin at 6:00 p.m. and shall conclude no later than 8:00 p.m. unless the Council votes to extend the meeting.

If the Council so chooses, they can schedule a work session to focus on a specific topic and schedule the work session during the City Council regular meeting times. The agenda should reflect this work session.

Should the Council choose to cancel a meeting or set an alternate day for a meeting, the City Council must vote to do so no later than the meeting prior to the canceled meeting.

Section 2.

Special meetings of the Council may be called in accordance to Sections 7-5-4102(1)(c) and 7-5-4122, MCA.

Section 3.

To ensure public participation all meetings of the Council shall be open to the public except as provided in Section 2-3-203, MCA.

Section 4.

A quorum of the Council shall consist of four (4) Council Members physically present at a meeting of the Council. The affirmative vote of four (4) Council members physically present at a lawful meeting of the Council shall be necessary to adopt a resolution, or ordinance or pass any measure, unless a greater number is required by law. The Mayor shall decide all tie votes of the Council but shall have no other vote.

Section 5.

In the event of a declared city, state, or national emergency, Council Members may vote remotely by the City's approved meeting site software.

Section 6.

The Council may choose to hold standing committee meetings for the purpose of addressing topics concerning city matters and take additional time to work on city business. Standing committees shall consist of three (3) Council members. The Council President will be responsible for selecting the standing committee members.

Standing committee meetings will be open to the public and public participation will be encouraged. The public is asked to only make comments as detailed in the agenda or when addressed by the committee

Standing committee meetings will be held in the Council chambers on the date of Council meetings at a time decided on by the standing committee members.

Each standing committee shall be required to record legally sufficient minutes and the minutes shall be maintained by the city clerk and distributed with Council agenda packets. Minutes will be available to the public. Meetings may be recorded and available via electronic means. Standing committee meeting agendas will be submitted to the city clerk and Council President no later than midnight on the Wednesday prior to the next Council meeting.

Standing committees will report their findings and discussion at the following City Council meeting for the Council's consideration and input.

Part IV. Agenda

Section 1.

All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council for consideration, discussion, or action at the next regular meeting shall be submitted to the city clerk by 12 p.m. on the Thursday before the Council meeting. The Mayor may approve late submission(s) when deemed to be in the City's best interest. The Mayor shall immediately arrange a list of such matters according to the order of business. The Mayor will ensure each member of the Council is provided a copy not later than one working day before the Council meeting.

Section 2.

Copies of the agenda and supporting documents shall be available to the public from the clerk of the Council and one copy of the agenda shall be posted at the designated posting board in City Hall for public viewing. Pursuant to 7-1-4135 MCA, the City Council has designated, by resolution, its official posting places to be the posting board in the lobby of City Hall located at 1 South Platt Ave., Red Lodge, Montana, and in a publicly accessible area at the Red Lodge Post Office, 119 S Hauser Street, Red Lodge, Montana. The agenda and supporting documents will also be available for public viewing on the official website of the City of Red Lodge, www.cityofredlodge.net, the City's Google Group Email and official Facebook page, "City of Red Lodge, Montana".

Part V. Order of Business.

Section 1

The Mayor, or in his/her absence, the President of the Council, shall prepare the Council agenda, which shall be in substantially the form outlined below.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL OF OFFICERS**
- 4. ADOPTION OF THE AGENDA[†]**
- 5. APPROVAL OF THE MINUTES**
- 6. WARRANTS PAYABLE**
- 7. MAYOR'S BUSINESS**
 - A. Mayor's Reports**

B. Other

8. PUBLIC COMMENT ON THE AGENDA

9. ACTION ITEMS

10. OTHER COUNCIL BUSINESS

A. Public Health and Safety

B. Administration and Finance

C. Land Use and Planning

D. Public Works

11. CORRESPONDENCE

12. PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

13. ADJOURN

*Items up for action without discussion at a previous Council meeting may or may not be accepted for action by the Council at the Council's discretion.

At the hour appointed for the meeting, the Council shall be called to order by the Mayor, or in his/her absence by the President of the Council; the Clerk shall then proceed to call the roll, note the absentees and announce whether there will be a quorum present. If it appears that there is a quorum, the Council shall proceed to the transaction of business.

Any item that is not listed on the agenda for the current meeting may be scheduled for a future Council meeting by an affirmative vote of four (4) Council members present at the meeting. No matter shall be decided by the Council without prior notice to the public as a scheduled Council agenda item.

Section 2.

The order of business may be adjusted by consent of the Council.

Part VI. Rules of Council Debate

Section 1.

Council debate shall proceed in accordance with the following rules:

1. Every Council member desiring to speak shall address the presiding officer and, upon recognition, shall confine himself/herself to the question under debate, avoiding abusive and indecorous language.
2. A Council member, once recognized, shall not be interrupted when speaking unless it be to call him/her to order, or as herein otherwise provided. If a Council member, while speaking is called to order, she/he shall cease speaking until the question of order be determined, and, if in order, he/she shall be permitted to proceed.
3. Order of rotation in matters of debate or discussion shall be at the discretion of the presiding officer.
4. A motion to reconsider any action taken by Council, may be made only on the day such action was taken or at the next meeting of the Council. Such a motion shall be made by a Council member of the prevailing side, but may be seconded by any Council member; it shall be debatable and requires a simple majority for adoption.

5. Any member of Council who has an interest as defined by the laws of the State of Montana (Title 2, Chapter 2, MCA) or as advised by the City Attorney shall not participate in the debate nor vote in the matter nor seek to influence the vote of members of the Council. Any Council member attempting to participate may be censured by the affirmative vote of four (4) Council members. (Censured is defined as a formal resolution of the legislative body reprimanding a Council member for specified conduct. It is an official reprimand or condemnation.)
6. If the presiding officer of the Council has an interest in a matter pending before the Council, as defined by the laws of the State of Montana or as advised by the City Attorney, he/she shall yield the chair to a member of the Council during the course of debate and decision concerning the matter in which he/she has an interest.
7. After a motion is duly made and seconded by the Council, no person shall address the Council without first securing the permission of the presiding officer.

Part VII. Presentation to the Council (Other Than a Public Hearing)

Section 1.

The general manner in which items other than public hearings are handled by the Council shall be as follows:

1. The presiding officer or staff member presents the item to the Council along with a brief summary of the matter for discussion, with or without recommendation.
2. For the purpose of clarification, Council Members, after recognition by the presiding officer, may direct questions to the presiding officer or staff member.
3. Upon recognition by the presiding officer, comments from the applicant will be heard by the Council.
4. After recognition by the presiding officer, Council members may direct questions to the applicant.
5. Members of the audience will be invited to present comments. The presiding officer has the discretion of the order in which the audience will be recognized for comments.
6. All comments shall be directed to the presiding officer.
7. The Council may, upon a proper motion and second, vote on the matter at hand or table the matter until a date certain.

Part VIII. Public Hearing

Section 1.

The Council may conduct a public hearing or may appoint a subcommittee or hearing examiner for that purpose as provided in Section 7-1-4131, MCA.

When required, the city council shall conduct public hearings for the purpose of providing reasonable opportunity for citizen participation prior to final decisions. Public hearings may be held at regular or special meetings of the City Council.

In addition, when a public hearing is being conducted and it is anticipated that a large number of citizens may wish to comment, the presiding officer, with the consent of the Council, may, prior to opening the hearing, establish reasonable guidelines for the conduct of the hearing (such as placing time limits on speakers' statements). The presiding officer shall explain these guidelines to the audience prior to taking public comments.

A public hearing shall provide for submission of both oral and written statements (testimony) for and against the action or matter at issue. If a hearing is not held before the ultimate decision makers, provision shall be made for the transmittal of a summary or transcript of the statements (testimony) received to the ultimate decision makers prior to their determination.

Petitions and letters received by the council or Mayor prior to the hearings shall be entered by reference into the minutes of the governing and considered as other statements (testimony) received at the hearing. Hearings may be adjourned from day to day or to a date certain.

A public hearing, which has been formally closed, may not be reopened. If the Council determines that additional information is required before a decision can be made, the Council, upon motion duly made, seconded and passed, may call for an additional public hearing shall be duly noticed, specifying date, time, place and subject matter of the hearing.

Part IX. Addressing the Council

Section 1.

The public is invited to speak on any item under discussion by the Council after being recognized by the presiding officer.

The speaker shall, if requested by the presiding officer, step to the lectern or front of the room and shall in all cases, for the record, give his/her name and address and, if applicable, the person, firm, or organization he/she represents. All statements at all times shall be directed to the presiding officer or Council. The presiding officer shall rule anyone out of order who directs any remark or question to anyone other than the presiding officer or Council.

Prepared statements are welcomed and should be given to the Clerk of the Council. Prepared statements that are also read, however, shall be deemed unduly repetitious. All prepared statements shall become a part of the hearing record.

Section 2.

While the Council is in session, the members of the audience must preserve order and decorum. A member of the audience shall not delay or interrupt the proceedings or the peace of the Council nor disturb any member of the Council while speaking or refuse to obey the orders of the Council or its presiding officer.

Any person making personal, impertinent or slanderous remarks or who shall become boisterous or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission to continue be granted by a majority vote of the Council.

Part X. Ordinances and Resolutions

Section 1.

Any ordinance or numbered resolution shall be prepared for presentation to the Council upon being ordered by the affirmative vote for four members of the Council present at a meeting or upon being requested by the Mayor.

Section 2.

All proposed ordinances and numbered resolutions shall, before presentation to the Council, be presented to the City Attorney for review and advise as to form and legal sufficiency and shall have been examined by the Mayor, who may refer it for comment to the head of the department under whose jurisdiction the subject matter of the ordinance or resolution is to be administered.

Section 3.

A proposed ordinance or resolution must be introduced by a member of the Council or the Mayor. A draft of the proposed ordinance or resolution shall be presented to the Council for review and comment prior to a motion to approve the proposed resolution or ordinance.

If the draft ordinance is approved by the Council, it shall then be placed on the agenda for first reading and provisional adoption, with second reading and final adoption occurring at least twelve (12) calendar days after the first reading and provisional adoption. After being adopted provisionally, the ordinance shall be posted on the City's posting board and copies thereof shall be made available to the public by the Clerk of the Council. The reading of the ordinance's title and number shall be sufficient to constitute a reading and an actual oral pronouncement of each word contained therein of the proposed ordinance is not required and shall be waived unless required by a majority vote of the Council.

Section 4.

All ordinances, except emergency ordinances, shall become effective thirty (30) calendar days after the second reading and final adoption. All resolutions and emergency ordinances shall become effective at the time indicated therein.

RESOLUTION NO. 3645

A RESOLUTION OF INTENT TO OBTAIN PRELIMINARY APPROVAL TO PROCEED WITH FURTHER EVALUATION OF A LAND EXCHANGE TO FORMERLY SET BOUNDRIES THAT ALIGN WITH HISTORICAL USES OF THE YELLOWSTONE WILDLIFE SANCTUARY AND IN EXCHANGE, PROVIDE ADDITIONAL LAND TO THE CITY NEAR THE CURRENT RECYCLING CENTER

WHEREAS, it is the desire of Yellowstone Wildlife Sanctuary to provide a community-based destination for residents of the Beartooth Front Region (consisting of Red Lodge and Carbon County, Montana) to have an opportunity to observe and study non-releasable wild animals native to the Greater Yellowstone Ecosystem; and

WHEREAS, Yellowstone Wildlife Sanctuary uses their property for community good, including the enhancement of the area as a place to live and work, through providing community services and educational programming; and

WHEREAS, Yellowstone Wildlife Sanctuary uses a portion of City-owned property, and the City has significant infrastructure since the installation of a major storm drain system, and requires access to said city property; and

WHEREAS, Yellowstone Wildlife Sanctuary has real property located on the Northern edge of their facility that is not utilized by the Yellowstone Wildlife Sanctuary, but borders City owned property; and

WHEREAS, the City could utilize the real property located on the Northern edge of the Yellowstone Wildlife Sanctuary;

WHEREAS, the City is requesting preliminary approval from the City Council to proceed with further evaluation of a land exchange to resolve an encroachment on City land. The evaluation will determine if the property proposed for exchange would adequately compensate the City for the value of the land encroached upon, and whether the exchange is in the City's best interest.

WHEREAS, the City has conducted a preliminary review of the proposed Land Exchange as set forth below:

EXCHANGE CRITERIA ANALYSIS

The following preliminary review documents how the land exchange meets or exceeds the land exchange criteria and accrues benefits to the City.

1. EQUAL OR GREATER VALUE

The fair market value of both properties will determine, likely from a Brokers Opinion of Value, if the City Council gives preliminary approval for this proposed exchange. No value has been

determined yet, but the potential utilization of the property owned by the City is limited based on sewer and stormwater infrastructure contained therein. An easement will be provided by the Yellowstone Wildlife Sanctuary to preserve the City's ability to access such infrastructure. Whereas, the ability to utilize and develop the real property the City would be obtaining in exchange is mostly level ground, contiguous with other City property.

The City and the Yellowstone Wildlife Sanctuary will equally divide the cost of obtaining a Market Opinion of Value of the parcels to be exchanged.

Preliminarily Meets Criteria

2. CITY LAND BORDERING ON NAVIGABLE LAKES AND STREAMS

The City property involved is in close proximity to Rock Creek but does not border the waterway and there is no water frontage involved in the proposed land exchange.

Preliminarily Meets Criteria

3. EQUAL OR GREATER ACREAGE

The proposed land to be exchanged includes 1.14 acres of City land, for 0.87 acres of land from the Yellowstone Wildlife Sanctuary.

Preliminarily Does Not Meet Criteria

4. CONSOLIDATION OF CITY LAND

Both parcels involved in the exchange are continuous with City land. The net change would be a flat and developable parcel for the City.

Preliminarily Meets Criteria

5. POTENTIAL FOR LONG-TERM APPRECIATION

As stated above, the City parcel to be provided to the Yellowstone Wildlife Sanctuary is of limited value due to the amount of stormwater and sewer infrastructure contained therein. Furthermore, the Yellowstone Wildlife Sanctuary will be providing an Easement to the City for the City to continue to maintain and access said infrastructure. In exchange, the City will obtain a developable parcel of land contiguous with other City real property.

Preliminarily Meets Criteria

6. ACCESS

The City land will still have an Easement, granted by the Yellowstone Wildlife Sanctuary, in exchange the City will obtain a parcel with greater access and usability.

Preliminarily Meets Criteria

CITY PRELIMINARY RECOMMENDATION

The Mayor believes this proposed land exchange would benefit the City and bring an encroachment on City Land to a satisfactory conclusion. As such, the Mayor requests that this exchange receive preliminary approval from the City Council.

NOW THEREFORE BE IT RESOLVED,

The City Council hereby establishes its intent to proceed with further valuation and review of the proposed land exchange and hereby authorizes the Mayor and City to take such action necessary evaluate said land exchange and to provide a report to the City Council concerning its findings.

PASSED AND ADOPTED by the City Council of the City of Red Lodge, Montana, on the _____ day of March, 2024.

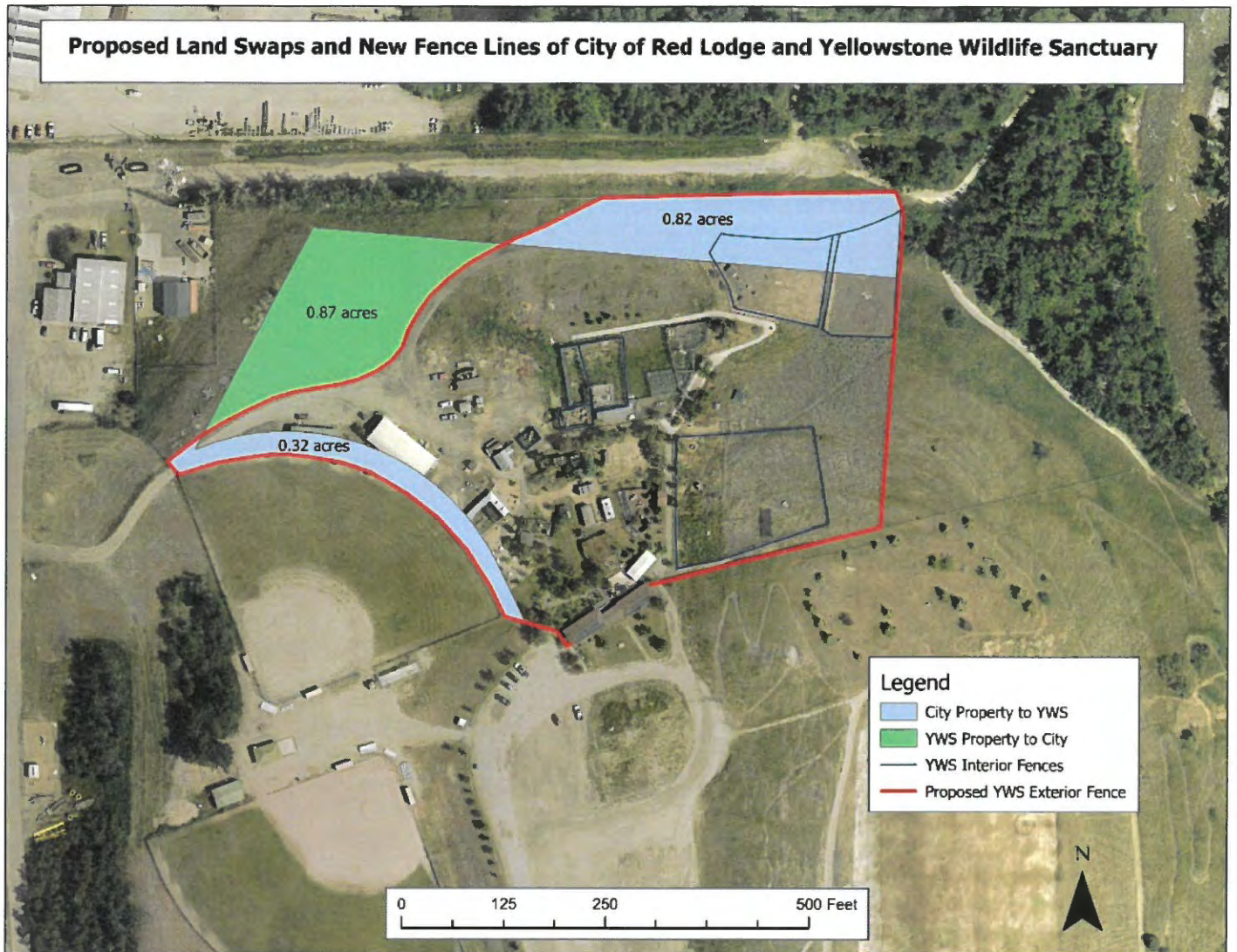
BY:

David Westwood, Mayor

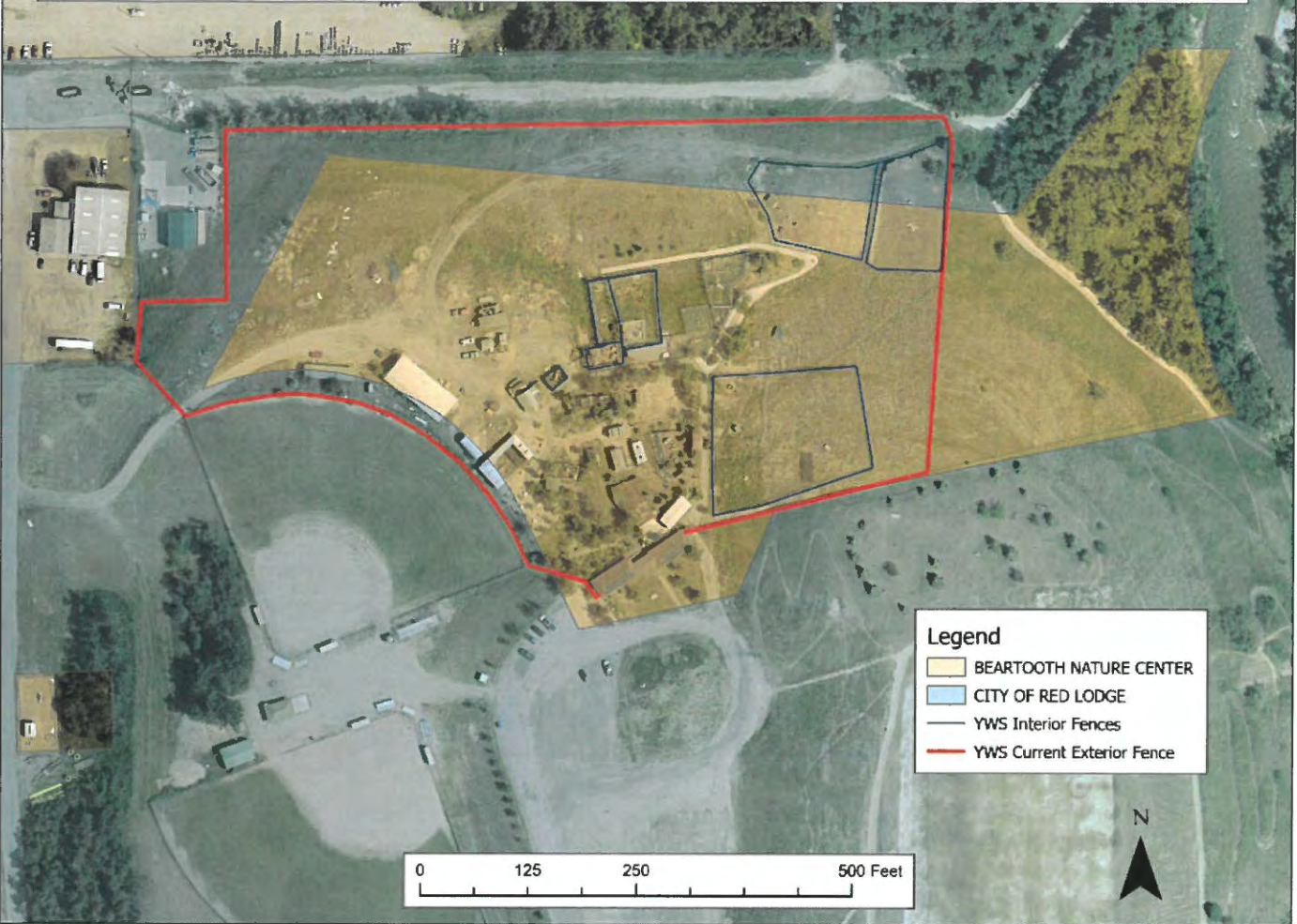
ATTEST:

Loni Hanson, City Clerk

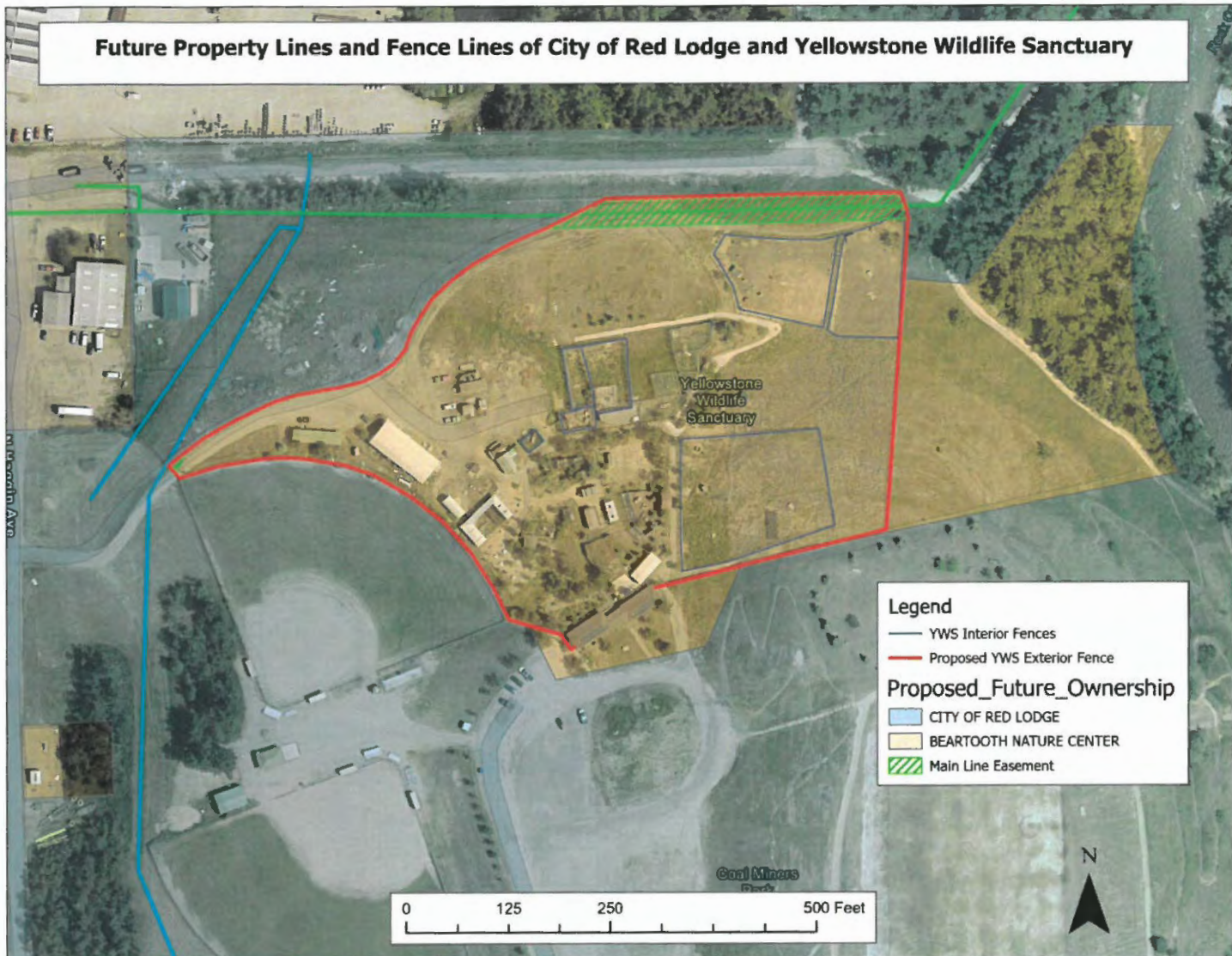
EXHIBIT A



Current Ownership and Fence Lines of City of Red Lodge and Yellowstone Wildlife Sanctuary



Future Property Lines and Fence Lines of City of Red Lodge and Yellowstone Wildlife Sanctuary



RESOLUTION NO. 3646

A RESOLUTION OF THE RED LODGE CITY COUNCIL TO SET FEES FOR THE RED LODGE CITY POOL BEGINNING IN 2024.

Whereas, The City of Red Lodge owns and operates the outdoor pool at the corner of 14th Street and Oakes Avenue; AND

Whereas, The operation and maintenance expenses of the Red Lodge Pool have been primarily paid for out of the City's Resort Tax; AND

Whereas, The costs of operation and maintenance of the pool are currently significantly higher than the revenue collected from related fees;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Red Lodge, Montana that the following fees shall apply to services at the Red Lodge Pool as of May 1, 2024:

- **Admission:** \$5 per child (ages 5 - 17) and \$8 per adult (age 18+)
Children 4 & under free with an adult who has purchased a pass
- **Showers:** \$4 per person
- **Individual Season Pass:** \$75 per child (ages 5 - 17) and \$100 per adult (age 18+)
- **Family Season Pass:** \$200 per family
- **One-Week Family Pass:** \$125 per family
- **Group Swimming Lessons:** \$90 per person
- **Six-Lesson (30 minutes each) Package:** \$270 per person
- **Individual 30-minute Lesson:** \$60 per person
- **Event Fee:** \$150 for first 20 people; additional \$5 per person thereafter

PASSED AND APPROVED BY A MAJORITY OF THE RED LODGE CITY COUNCIL on this 26th day of March, 2024.

For the City of Red Lodge, Montana:

Dave Westwood, Mayor

Attest:

Loni Hanson, City Clerk

See what's possible.

BILLINGS

6780 Trade Center
Avenue
Billings, MT 59101
Ph: (406) 652-5000
F: (406) 248-1363

HELENA

2501 Belt View Drive
Helena, MT 59601
Ph: (406) 449-8627
F: (406) 449-8631

BOISE

3050 N Lakeharbor
Lane
Suite 201
Boise, ID 83703
Ph: (208) 576-6646

GREAT FALLS

702 2nd Street S, #2
Great Falls, MT 59405
Ph: (406) 952-1109

SPOKANE

9221 N Division Street
Suite F
Spokane, WA 99218
Ph: (509) 413-1430



March 21, 2024

Mike Maples and Mayor Westwood
City of Red Lodge
P.O. Box 9
Red Lodge, MT 59068

**RE: Phase 2/3 Stormwater Improvements Project – Award Recommendation
Great West Project No. 2-22109, Task Order 21**

Dear Mike and Mayor Westwood:

The bid opening for the above referenced project was held on March 14, 2024, we received four bids that met the minimum requirements to be read and one bid that did not. That bid was returned to the bidder. I have attached the certified bid tabulations for your reference. Wilson Bros Construction of Montana, Inc. is the low bidder with a bid of \$909,660 for schedule 1, a bid of \$1,442,150 for schedule 2, and a bid of \$801,485 for schedule 3. The combined total for all three schedules is \$3,153,295.

Based on review of the qualifications statement submitted with their bid, numerous projects completed with Wilson Bros Construction of Montana, Inc., and their successful completion of the Phase 1 Stormwater project, we believe they are qualified to complete this project scope.

With the bids coming in close to our engineers estimate, the estimated user rate increases associated with the SRF loan we presented on February 14, 2024 are still good estimates. It is our recommendation that the City award all three schedules of this project which would result in an estimated \$10.40/month rate increase to each lot. Should the City only elect to award phases 1 & 2 the estimated rate increase would be \$7.83/month/lot and would be approximately \$3.00/month/lot if only schedule 1 is awarded.

Again, it is our recommendation that the City award all three phases of the project as we know we have received quality bids from the contractors base on how close they are and feel that should portions of the project be delayed it will only result in higher cost down the road. Please reach out with any questions.

Sincerely,

Great West Engineering, Inc.

Brandon Duffey, PE
Project Manager

Encl: Certified Bid Tabs

Y:\Shared\Billings Projects\2-22109 - Red Lodge On-Call 2022\TO 21 - Phase 2 & 3 Stormwater Improvements\Bidding\Red Lodge TO21 - Recommendation to Award.docx

www.greatwesteng.com

Bid Tabs
City of Red Lodge
Stormwater Improvements Phase 2 and 3
March 14, 2024



ITEM	Quantity	Unit	Engineer's Estimate		Wilson Bros Construction		COP Construction		Western Municipal Construction		JR Civil, LLC	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
			Schedule 1									
100 Mobilization	1	LSM	\$ 81,600.00	\$ 81,600.00	\$ 85,000.00	\$ 85,000.00	\$ 279,350.00	\$ 279,350.00	\$ 246,000.00	\$ 246,000.00	\$ 155,000.00	\$ 155,000.00
101 Traffic Control	1	LSM	\$ 10,000.00	\$ 10,000.00	\$ 12,000.00	\$ 12,000.00	\$ 44,000.00	\$ 44,000.00	\$ 15,500.00	\$ 15,500.00	\$ 86,000.00	\$ 86,000.00
102 Exploratory Excavation	20	HR	\$ 550.00	\$ 11,000.00	\$ 550.00	\$ 11,000.00	\$ 420.00	\$ 8,400.00	\$ 390.00	\$ 7,800.00	\$ 895.00	\$ 17,900.00
103 Imported Backfill	30	CY	\$ 55.00	\$ 1,650.00	\$ 50.00	\$ 1,500.00	\$ 50.00	\$ 1,500.00	\$ 83.00	\$ 2,490.00	\$ 234.00	\$ 7,020.00
104 Water Service Relocation	4	EA	\$ 2,500.00	\$ 10,000.00	\$ 2,500.00	\$ 10,000.00	\$ 2,900.00	\$ 11,600.00	\$ 3,800.00	\$ 15,200.00	\$ 7,715.00	\$ 30,850.00
105 Sanitary Sewer Service	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 4,500.00	\$ 9,000.00	\$ 3,300.00	\$ 6,600.00	\$ 4,900.00	\$ 9,800.00	\$ 7,361.00	\$ 14,722.00
106 18" Diameter Storm Drain	1,175	LF	\$ 115.00	\$ 135,125.00	\$ 115.00	\$ 135,125.00	\$ 130.00	\$ 152,750.00	\$ 87.00	\$ 102,225.00	\$ 162.00	\$ 190,350.00
107 27" Diameter Storm Drain	460	LF	\$ 150.00	\$ 69,000.00	\$ 165.00	\$ 85,100.00	\$ 170.00	\$ 78,200.00	\$ 190.00	\$ 87,400.00	\$ 227.00	\$ 104,420.00
108 48" Diameter Storm Drain	330	LF	\$ 335.00	\$ 110,550.00	\$ 335.00	\$ 110,550.00	\$ 345.00	\$ 113,850.00	\$ 340.00	\$ 112,200.00	\$ 363.00	\$ 119,790.00
109 84" Diameter Storm Sewer Manhole	1	EA	\$ 20,000.00	\$ 20,000.00	\$ 22,500.00	\$ 22,500.00	\$ 15,000.00	\$ 15,000.00	\$ 21,500.00	\$ 21,500.00	\$ 24,250.00	\$ 24,250.00
110 60" Diameter Storm Sewer Manhole	2	EA	\$ 10,000.00	\$ 20,000.00	\$ 9,000.00	\$ 18,000.00	\$ 7,750.00	\$ 15,500.00	\$ 10,700.00	\$ 21,400.00	\$ 13,000.00	\$ 26,000.00
111 48" Diameter Storm Sewer Manhole	6	EA	\$ 8,000.00	\$ 48,000.00	\$ 6,000.00	\$ 36,000.00	\$ 6,800.00	\$ 40,800.00	\$ 8,500.00	\$ 51,000.00	\$ 11,000.00	\$ 66,000.00
112 12" Dia. Storm Sewer	575	LF	\$ 95.00	\$ 54,625.00	\$ 80.00	\$ 46,000.00	\$ 81.00	\$ 46,575.00	\$ 98.01	\$ 56,355.75	\$ 143.00	\$ 82,225.00
113 2x3 Rectangular Box Structure (Curb Inlets)	12	EA	\$ 4,400.00	\$ 52,800.00	\$ 4,500.00	\$ 54,000.00	\$ 4,200.00	\$ 50,400.00	\$ 3,600.00	\$ 43,200.00	\$ 6,340.00	\$ 76,080.00
114 Underground Utility Crossing	19	EA	\$ 750.00	\$ 14,250.00	\$ 350.00	\$ 6,650.00	\$ 1,200.00	\$ 22,800.00	\$ 920.00	\$ 17,480.00	\$ 1,884.00	\$ 35,796.00
115 Remove, Cut and Plug Existing Storm Drain Inlet and Lateral	4	EA	\$ 900.00	\$ 3,600.00	\$ 3,000.00	\$ 12,000.00	\$ 1,200.00	\$ 4,800.00	\$ 1,800.00	\$ 7,200.00	\$ 2,685.00	\$ 10,740.00
116 Cut and Cap Existing Storm Drain	7	EA	\$ 800.00	\$ 5,600.00	\$ 3,500.00	\$ 24,500.00	\$ 750.00	\$ 5,250.00	\$ 1,400.00	\$ 9,800.00	\$ 1,790.00	\$ 12,590.00
117 Existing Storm Drain Connection	3	EA	\$ 3,200.00	\$ 9,600.00	\$ 3,500.00	\$ 10,500.00	\$ 2,700.00	\$ 8,100.00	\$ 200.00	\$ 600.00	\$ 5,430.00	\$ 16,290.00
118 Connect to Existing Storm Drain Inlet and Tie into new Storm Main	3	EA	\$ 1,000.00	\$ 3,000.00	\$ 3,250.00	\$ 9,750.00	\$ 1,000.00	\$ 3,000.00	\$ 200.00	\$ 600.00	\$ 3,907.00	\$ 11,721.00
119 MOT Surface Restoration	80	SY	\$ 250.00	\$ 20,000.00	\$ 260.00	\$ 20,800.00	\$ 250.00	\$ 20,000.00	\$ 300.00	\$ 24,000.00	\$ 571.00	\$ 45,680.00
120 Type A Surface Restoration (Asphalt)	2,895	SY	\$ 65.00	\$ 188,175.00	\$ 58.00	\$ 167,910.00	\$ 45.00	\$ 130,275.00	\$ 56.00	\$ 162,120.00	\$ 118.00	\$ 341,510.00
121 Type B Surface Restoration (Aggregate)	65	SY	\$ 30.00	\$ 1,950.00	\$ 35.00	\$ 2,275.00	\$ 4.00	\$ 260.00	\$ 14.00	\$ 910.00	\$ 59.00	\$ 3,835.00
122 Concrete Curb and Gutter	30	LF	\$ 150.00	\$ 4,500.00	\$ 350.00	\$ 10,500.00	\$ 110.00	\$ 3,300.00	\$ 220.00	\$ 6,600.00	\$ 151.00	\$ 4,530.00
123 Concrete Sidewalk, 4" Thickness	20	SY	\$ 275.00	\$ 5,500.00	\$ 350.00	\$ 7,000.00	\$ 225.00	\$ 4,500.00	\$ 510.00	\$ 10,200.00	\$ 281.00	\$ 5,620.00
124 Water Service Replacement	2	EA	\$ 5,000.00	\$ 10,000.00	\$ 4,500.00	\$ 9,000.00	\$ 6,500.00	\$ 13,000.00	\$ 5,800.00	\$ 11,600.00	\$ 8,303.00	\$ 16,606.00
				\$ 882,525.00		\$ 880,850.00		\$ 1,086,110.00		\$ 1,035,560.75		\$ 1,916,428.00
Schedule 1												
Schedule 2												
200 Mobilization	1	LSM	\$ 133,800.00	\$ 133,800.00	\$ 140,000.00	\$ 140,000.00	\$ 111,696.00	\$ 111,696.00	\$ 165,000.00	\$ 165,000.00	\$ 104,000.00	\$ 104,000.00
201 Traffic Control	1	LSM	\$ 10,000.00	\$ 10,000.00	\$ 7,500.00	\$ 7,500.00	\$ 24,000.00	\$ 24,000.00	\$ 15,100.00	\$ 15,100.00	\$ 75,950.00	\$ 75,950.00
202 Exploratory Excavation	20	HR	\$ 550.00	\$ 11,000.00	\$ 550.00	\$ 11,000.00	\$ 420.00	\$ 8,400.00	\$ 390.00	\$ 7,800.00	\$ 895.00	\$ 17,900.00
203 Imported Backfill	30	CY	\$ 55.00	\$ 1,650.00	\$ 50.00	\$ 1,500.00	\$ 50.00	\$ 1,500.00	\$ 83.00	\$ 2,490.00	\$ 234.00	\$ 7,020.00
204 Water Main Lowering	2	EA	\$ 12,500.00	\$ 25,000.00	\$ 13,000.00	\$ 26,000.00	\$ 12,000.00	\$ 24,000.00	\$ 16,100.00	\$ 32,200.00	\$ 16,475.00	\$ 32,950.00
205 Water Service Relocation	26	EA	\$ 2,500.00	\$ 65,000.00	\$ 2,500.00	\$ 65,000.00	\$ 2,900.00	\$ 75,400.00	\$ 3,800.00	\$ 100,800.00	\$ 7,681.00	\$ 19,362.00
206 Sanitary Sewer Service	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 4,500.00	\$ 9,000.00	\$ 3,300.00	\$ 6,600.00	\$ 4,900.00	\$ 9,800.00	\$ 7,361.00	\$ 14,722.00
207 42" Diameter Storm Drain	2,355	LF	\$ 285.00	\$ 671,250.00	\$ 275.00	\$ 647,625.00	\$ 280.00	\$ 659,400.00	\$ 280.00	\$ 612,300.00	\$ 343.00	\$ 807,765.00
208 96" Diameter Storm Sewer Manhole	1	EA	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00	\$ 35,000.00	\$ 21,000.00	\$ 21,000.00	\$ 25,900.00	\$ 25,900.00	\$ 25,000.00	\$ 25,000.00
209 84" Diameter Storm Sewer Manhole	1	EA	\$ 20,000.00	\$ 20,000.00	\$ 22,500.00	\$ 22,500.00	\$ 15,000.00	\$ 15,000.00	\$ 21,500.00	\$ 21,500.00	\$ 24,263.00	\$ 24,263.00
210 72" Diameter Storm Sewer Manhole	6	EA	\$ 13,000.00	\$ 78,000.00	\$ 14,500.00	\$ 87,000.00	\$ 12,000.00	\$ 72,000.00	\$ 12,200.00	\$ 73,200.00	\$ 18,400.00	\$ 110,400.00
211 12" Dia. Storm Sewer	560	LF	\$ 95.00	\$ 53,200.00	\$ 80.00	\$ 44,800.00	\$ 81.00	\$ 45,360.00	\$ 91.00	\$ 50,960.00	\$ 137.00	\$ 76,720.00
212 2x3 Rectangular Box Structure (Curb Inlets)	16	EA	\$ 4,400.00	\$ 70,400.00	\$ 4,500.00	\$ 72,000.00	\$ 4,200.00	\$ 67,200.00	\$ 3,600.00	\$ 57,600.00	\$ 6,340.00	\$ 101,440.00
213 Underground Utility Crossing	7	EA	\$ 750.00	\$ 5,250.00	\$ 350.00	\$ 2,450.00	\$ 1,200.00	\$ 8,400.00	\$ 920.00	\$ 6,440.00	\$ 1,885.00	\$ 13,195.00
214 Remove, Cut and Plug Existing Storm Drain Inlet and Lateral	4	EA	\$ 900.00	\$ 3,600.00	\$ 3,000.00	\$ 12,000.00	\$ 1,200.00	\$ 4,800.00	\$ 1,800.00	\$ 7,200.00	\$ 2,685.00	\$ 10,740.00
215 Cut and Cap Existing Storm Drain	2	EA	\$ 800.00	\$ 1,600.00	\$ 3,500.00	\$ 7,000.00	\$ 750.00	\$ 1,500.00	\$ 1,400.00	\$ 2,800.00	\$ 1,790.00	\$ 3,580.00
216 Existing Storm Drain Connection	3	EA	\$ 3,200.00	\$ 9,600.00	\$ 3,500.00	\$ 10,500.00	\$ 2,700.00	\$ 8,100.00	\$ 200.00	\$ 600.00	\$ 5,430.00	\$ 16,290.00
217 Type A Surface Restoration (Asphalt)	3,480	SY	\$ 65.00	\$ 226,200.00	\$ 58.00	\$ 199,760.00	\$ 45.00	\$ 153,000.00	\$ 56.00	\$ 194,080.00	\$ 117.00	\$ 399,800.00
218 Type B Surface Restoration (Aggregate)	145	SY	\$ 30.00	\$ 4,350.00	\$ 35.00	\$ 5,075.00	\$ 4.00	\$ 580.00	\$ 11.00	\$ 1,595.00	\$ 59.00	\$ 8,555.00
219 Concrete Curb and Gutter	10	LF	\$ 150.00	\$ 1,500.00	\$ 350.00	\$ 3,500.00	\$ 110.00	\$ 1,100.00	\$ 510.00	\$ 5,100.00	\$ 151.00	\$ 1,510.00
220 Concrete Sidewalk, 4" Thickness	10	SY	\$ 275.00	\$ 2,750.00	\$ 350.00	\$ 3,500.00	\$ 225.00	\$ 2,250.00	\$ 620.00	\$ 6,200.00	\$ 281.00	\$ 2,810.00
221 Water Service Replacement	6	EA	\$ 5,000.00	\$ 30,000.00	\$ 4,500.00	\$ 27,000.00	\$ 6,500.00	\$ 39,000.00	\$ 5,500.00	\$ 33,000.00	\$ 8,257.00	\$ 49,542.00
				\$ 1,486,428.00		\$ 1,442,190.00		\$ 1,396,080.00		\$ 1,415,960.00		\$ 2,117,328.00
Schedule 1 + Schedule 2				\$ 2,368,953.00		\$ 2,321,040.00		\$ 2,482,190.00		\$ 2,451,560.75		\$ 4,033,756.00
Schedule 3												
300 Mobilization	1	LSM	\$ 70,700.00	\$ 70,700.00	\$ 75,000.00	\$ 75,000.00	\$ 66,284.00	\$ 66,284.00	\$ 119,000.00	\$ 119,000.00	\$ 99,000.00	\$ 99,000.00
301 Traffic Control	1	LSM	\$ 10,000.00	\$ 10,000.00	\$ 12,000.00	\$ 12,000.00	\$ 20,000.00	\$ 20,000.00	\$ 15,400.00	\$ 15,400.00	\$ 92,600.00	\$ 92,600.00
302 Exploratory Excavation	20	HR	\$ 550.00	\$ 11,000.00	\$ 550.00	\$ 11,000.00	\$ 420.00	\$ 8,400.00	\$ 390.00	\$ 7,800.00	\$ 895.00	\$ 17,900.00
303 Imported Backfill	30	CY	\$ 55.00	\$ 1,650.00	\$ 50.00	\$ 1,500.00	\$ 50.00	\$ 1,500.00	\$ 83.00	\$ 2,490.00	\$ 234.00	\$ 7,020.00
304 Water Service Relocation	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 4,700.00	\$ 4,700.00	\$ 3,700.00	\$ 3,700.00	\$ 7,753.00	\$ 7,753.00
305 Sanitary Sewer Service	5	EA	\$ 2,000.00	\$ 10,000.00	\$ 4,500.00	\$ 22,500.00	\$ 3,300.00	\$ 16,500.00	\$ 4,900.00	\$ 24,500.00	\$ 7,333.00	\$ 36,665.00

Bid Tab
City of Red Lodge
Stormwater Improvements Phase 2 and 3
March 14, 2024



ITEM	Quantity	Unit	Engineer's Estimate		Wilson Bros Construction		COP Construction		Western Municipal Construction		JR Civil LLC	
			Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
306 18" Diameter Storm Drain	725	LF	\$ 115.00	\$ 83,375.00	\$ 115.00	\$ 83,375.00	\$ 130.00	\$ 94,250.00	\$ 87.00	\$ 63,075.00	\$ 162.00	\$ 117,450.00
307 24" Diameter Storm Drain	400	LF	\$ 130.00	\$ 52,000.00	\$ 125.00	\$ 50,000.00	\$ 150.00	\$ 60,000.00	\$ 120.00	\$ 48,000.00	\$ 205.00	\$ 82,000.00
308 27" Diameter Storm Drain	655	LF	\$ 150.00	\$ 98,250.00	\$ 145.00	\$ 94,975.00	\$ 170.00	\$ 111,350.00	\$ 180.00	\$ 117,900.00	\$ 226.00	\$ 148,030.00
309 60" Diameter Storm Sewer Manhole	1	EA	\$ 10,000.00	\$ 10,000.00	\$ 9,000.00	\$ 9,000.00	\$ 7,750.00	\$ 7,750.00	\$ 11,237.25	\$ 11,237.25	\$ 13,000.00	\$ 13,000.00
310 48" Diameter Storm Sewer Manhole	7	EA	\$ 8,000.00	\$ 56,000.00	\$ 8,000.00	\$ 56,000.00	\$ 6,800.00	\$ 47,600.00	\$ 9,400.00	\$ 65,800.00	\$ 11,000.00	\$ 77,000.00
311 12" Dia. Storm Sewer	585	LF	\$ 95.00	\$ 55,575.00	\$ 80.00	\$ 46,800.00	\$ 81.00	\$ 47,385.00	\$ 96.00	\$ 56,160.00	\$ 141.00	\$ 82,685.00
312 2x3 Rectangular Box Structure (Curb Inlets)	18	EA	\$ 4,400.00	\$ 79,200.00	\$ 4,500.00	\$ 81,000.00	\$ 4,200.00	\$ 75,600.00	\$ 3,600.00	\$ 64,800.00	\$ 6,340.00	\$ 114,120.00
313 Underground Utility Crossing	9	EA	\$ 750.00	\$ 6,750.00	\$ 350.00	\$ 3,150.00	\$ 1,200.00	\$ 10,800.00	\$ 920.00	\$ 8,280.00	\$ 1,884.00	\$ 16,956.00
314 Remove, Cut and Plug Existing Storm Drain Inlet and Lateral	7	EA	\$ 900.00	\$ 6,300.00	\$ 3,000.00	\$ 21,000.00	\$ 1,200.00	\$ 8,400.00	\$ 1,800.00	\$ 12,600.00	\$ 2,685.00	\$ 18,795.00
315 Remove, Cut and Plug Existing Manhole	2	EA	\$ 2,000.00	\$ 4,000.00	\$ 3,500.00	\$ 7,000.00	\$ 2,700.00	\$ 5,400.00	\$ 2,200.00	\$ 4,400.00	\$ 2,685.00	\$ 5,370.00
316 Existing Storm Drain Connection	1	EA	\$ 3,200.00	\$ 3,200.00	\$ 3,500.00	\$ 3,500.00	\$ 2,700.00	\$ 2,700.00	\$ 200.00	\$ 200.00	\$ 5,702.00	\$ 5,702.00
317 Connect to Existing Storm Drain Inlet and Tie into new Storm Main	8	EA	\$ 1,000.00	\$ 8,000.00	\$ 3,250.00	\$ 26,000.00	\$ 1,000.00	\$ 8,000.00	\$ 200.00	\$ 1,600.00	\$ 4,814.00	\$ 38,512.00
318 MDT Surface Restoration	80	SY	\$ 250.00	\$ 20,000.00	\$ 260.00	\$ 20,800.00	\$ 250.00	\$ 20,000.00	\$ 290.00	\$ 23,200.00	\$ 436.00	\$ 34,880.00
319 Type A Surface Restoration (Asphalt)	2,570	SY	\$ 65.00	\$ 167,050.00	\$ 58.00	\$ 149,060.00	\$ 45.00	\$ 115,650.00	\$ 56.00	\$ 143,920.00	\$ 115.00	\$ 295,550.00
320 Type B Surface Restoration (Aggregate)	45	SY	\$ 30.00	\$ 1,350.00	\$ 35.00	\$ 1,575.00	\$ 4.00	\$ 180.00	\$ 19.00	\$ 855.00	\$ 59.00	\$ 2,676.00
321 Concrete Curb and Gutter	60	LF	\$ 150.00	\$ 9,000.00	\$ 350.00	\$ 21,000.00	\$ 110.00	\$ 6,600.00	\$ 190.00	\$ 11,400.00	\$ 151.00	\$ 9,060.00
322 Concrete Sidewalk, 4" Thickness	35	SY	\$ 275.00	\$ 9,625.00	\$ 350.00	\$ 12,250.00	\$ 225.00	\$ 7,875.00	\$ 510.00	\$ 17,850.00	\$ 281.00	\$ 9,835.00
323 Water Service Replacement	1	EA	\$ 5,000.00	\$ 5,000.00	\$ 4,500.00	\$ 4,500.00	\$ 6,000.00	\$ 6,000.00	\$ 5,500.00	\$ 5,500.00	\$ 8,280.00	\$ 8,280.00
Schedule 3				\$ 780,325.00		\$ 801,485.00		\$ 756,924.00		\$ 629,067.25		\$ 1,364,709.00
TOTAL Estimated Bid Price (Schedules 1+2+3)				\$ 3,189,475.00		\$ 3,153,295.00		\$ 3,198,120.00		\$ 3,281,233.00		\$ 4,898,397.00

Shaded cell represents an error on the Contractor's bid form that has been corrected during tabulations.

I hereby certify that this tabulation of bids is a true representation of the bids received on March 14, 2024.

Brandon W. Duffey, PE



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

ORDINANCE NO. 953

ORDINANCE ESTABLISHING STORM WATER UTILITY;
DEFINING TERMS; SETTING FORTH INITIAL
REGULATIONS AND RESPONSIBILITIES THEREFOR,
ESTABLISHING A STORM WATER SYSTEM FUND,
ESTABLISHING A METHOD FOR CALCULATION AND
COLLECTION OF STORM WATER CHARGES AND
RELATED MATTERS; AND PROVIDING AN EFFECTIVE
DATE

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Red Lodge, Montana (the "City") as follows:

Section 1. Findings and Authority.

1.01. Purpose of Ordinance. The purpose of this Ordinance is to decrease drainage-related damage to public and private property; to preserve and lessen the burden on and costs of improving and enlarging the sanitary sewer system; to facilitate making land in the City developable; to minimize adverse impacts on property owners adjacent to developing and developed land from increased runoff; to preserve and enhance the aesthetic quality of the waters; to maintain and protect valuable ground water resources; to minimize adverse effects of alterations on ground water quantities, locations and flow patterns; to ensure the safety of public roads and rights of way; to promote sound development policies and construction procedures to preserve the historic, natural or constructed watercourses; and to minimize water quality degradation and control the sedimentation of rivers, streams, ponds, lakes and other water bodies.

1.02. Necessity. The City presently owns and operates a sanitary sewer system for the collection and disposal of sewage (the "Sanitary Sewer System"), into which storm and other surface waters are being discharged. The Sanitary Sewer System is frequently infiltrated by storm and ground water, which has caused significant stresses on the Sanitary Sewer System. In addition, storm and ground water has caused damage to public infrastructure and facilities and created difficulties for businesses and residences, including health hazards. This Council has caused various studies to be conducted and, based thereon and on an investigation of facts and circumstances relating to the Sanitary Sewer System (including state and federal policies concerning the collection and disposal of sewage and storm and surface waters), has determined that it is necessary and desirable to establish rules and regulations relating to storm water and drainage and construct improvements for the collection and disposal of storm and surface waters separate and distinct from the Sanitary Sewer System.

1.03. Authority. The City is authorized by Title 7, Chapter 7, Parts 42 and 43, and Title 7, Chapter 7, Part 44, M.C.A., to construct, better, improve and extend a storm water system and issue revenue bonds to finance in whole or part the costs thereof. The City is further authorized and required by Title 7, Chapter 7, Parts 42 and 43 and Title 69, Chapter 7, Part 1, M.C.A., to establish just and equitable rates, fees and charges and rentals for the services and facilities provided by a storm water system so as to make the system self-supporting.

Section 2. Definitions. The following definitions of terms shall apply unless the context clearly indicates another meaning or unless elsewhere expressly stated for specific application:

“Drainage Plan”: A storm water management plan to be prepared by a developer as described in Section 4 hereof, which should include drainage calculations, proposed manner of mitigation of Storm Water and a description of the proposed Storm Water system, including any required detention areas. Drainage Plans must use current hydraulic hydrology practices and conform with the Storm Water Master Plan.

“Hazardous Substances”: Caustic, poisonous, flammable or other material that may be dangerous to the public safety and welfare, as may be defined by the United States Environmental Protection Agency and the Montana Department of Environmental Quality from time to time.

“Impervious Area”: the portion of any parcel consisting of roofs, concrete, decks, asphalt, gravel, and other impervious surfaces situated on the property.

“Manmade or Open Flow Drainageway”: An open channel designed to carry storm water.

“Operating Expenses”: The current expenses, paid or accrued, of operation, maintenance and minor repair of the System, excluding principal of and interest on bonds and depreciation, as calculated in accordance with generally accepted accounting principles, and shall include, without limitation, administrative expenses of the City relating solely to the System, premiums for insurance on the properties thereof, labor and the cost of materials and supplies used for current operation and for maintenance, and charges for the accumulation of appropriate reserves for current expenses which are not recurrent regularly but may reasonably be expected to be incurred.

“Service Area” means the City limits, as may be adjusted from time to time, and such other areas as may be served by the System.

“Storm Water”: An overland flow of water as a result of rain, snow, hail storms or snow melt or other surface water event.

“Storm Water Master Plan”: The plan described by the June 2018 *Preliminary Engineering Report –Stormwater Facility Improvements* prepared by Great West Engineering, Inc., as it may be amended or revised from time to time, which is hereby adopted by reference and declared to be part of this Ordinance. The plan is on file in the office of the City Clerk-Treasurer. Modifications of the plan may be initiated by the Mayor and submitted to the City Council for approval.

“Storm Water Charge”: The fee or charge described in Section 6 hereof.

“Storm Water Manager”: The City Public Works Director or, if other than the City Public Works Director, a City employee designated by the Mayor.

“Storm Water System” or “System”: The infrastructure system owned, operated and maintained by the City, which regulates and transmits storm and surface water through the City.

The System includes the existing storm water improvements and the improvements to be constructed and installed in accordance with the Storm Water Master Plan.

“Storm Water System Fund” or “Fund”: The fund established in Section 3.01, into which the storm water fees and charges shall be deposited.

“System Permit and Plan Fees”: The fee or fees to be established by the City Council by resolution in an amount sufficient to cover costs of the review of the Drainage Plans and the issuance of permits.

Section 3. Creation of Storm Water System.

3.01. Storm Water System; Storm Water System Fund. The City hereby creates and establishes the System. The City intends to construct the System as required to implement the purpose of the Ordinance. The City hereby creates a Storm Water System Fund to be used as provided herein and into which the storm water fees and charges, including, but not limited to, Storm Water Charges and System Permit and Plan Fees, shall be deposited. The Storm Water System Fund will consist of various funds or accounts as determined by subsequent resolution or resolutions of the City. The Storm Water Manager shall be responsible for the operation, maintenance, capital improvements, and all other functions of the System.

3.02. Service Area. The City reserves the right to plan for and construct storm drainage improvements comprising part of the System outside the City limits when necessary or appropriate. If it does so, such additional benefited properties located outside of the City shall become part of and be included in the Service Area.

3.03. Duty of Property Owners to Protect Property. Storm Water currently does and will likely continue to exceed the capacity of the System, even following completion of improvements to the System. Neither the adoption of this Ordinance nor the imposition of the storm water fees and charges imply that property in the City will be free from storm water flooding or flood damage. The establishment of the System does not purport to reduce the need or the necessity for property owners in the Service Area to obtain flood insurance and protect their property from storm or surface water.

Section 4. Drainage Plans.

4.01. Permits and Approvals Requiring Drainage Plan. All persons or entities applying for any of the following permits and/or approvals shall submit to the City a drainage plan prepared by a professional engineer with their application and/or request:

- A. Subdivision plat approval;
- B. Conditional Use and/or Design Review applications to accommodate multi-family, business or industrial uses;
- C. Building permits where the permit relates to twenty thousand (20,000) or more square feet of development coverage within the property, or where development is

in a critical area as determined by the Community Development Department or Storm Water Manager;

D. Planned unit development (PUD); and

E. Annexation.

4.02. Approval Required to Commence Work. Commencement of construction work under any of the above permits or applications shall not begin until such time as final approval of the Drainage Plan is obtained in accordance with this Ordinance.

4.03. Contents of a Drainage Plan: Drainage Plans shall be prepared in accordance with current hydraulics and hydrology design standards and shall be consistent with the Storm Water Master Plan. The same Drainage Plan submitted during one permit/approval process may be subsequently submitted with further required applications. The Drainage Plan shall be supplemented with such additional information as may be requested by the Storm Water Manager.

4.04. Exceptions. A Drainage Plan will not be required if the person or entity can demonstrate to the satisfaction of the Storm Water Manager, in his or her sole discretion, that the proposed development will:

A. not adversely impact the water quality conditions of any affected receiving bodies of water;

B. not alter the surface discharge location, alter the drainage pattern on adjoining properties, alter drainage patterns, increase the discharge, or cause any other adverse effects in the drainage area; and

C. not alter the subsurface drainage patterns, flow rates and discharge points, or result in any significant adverse effects to property or residents.

4.05. Review and Approval of the Drainage Plan: All Drainage Plans prepared in connection with any of the permits and/or approvals listed in Section 4.01 shall be submitted for review by and approval of the Storm Water Manager. The Storm Water Manager may approve, not approve or require modifications to Drainage Plans. If a Drainage Plan is approved and the applicant has paid all applicable System Permit and Plan Fees, a schedule for inspection of construction and facilities will be established by the Storm Water Manager.

4.06. System Permit and Plan Fees. The City may establish and revise System Permit and Plan Fees by resolution duly adopted by the City Council. All moneys received from the System Permit and Plan Fees shall be deposited in the Storm Water System Fund.

Section 5. Rules Applicable to Care and Use of System.

5.01. Hazardous Substances. It shall be unlawful to introduce Hazardous Substances into the System. The originators of any Hazardous Substance spill or introduction shall be held

responsible therefor and shall pay all applicable cleanup costs, including the cost of equipment, materials, staff time and consultant charges.

5.02. Compliance with Federal and State Law Regarding Discharge into System. All persons or entities shall comply with federal and State of Montana laws, rules, and regulations regarding discharge of substances into the System. The originators of any discharge that is in violation of federal or State of Montana law shall pay all applicable cleanup costs, including the cost of equipment, materials, staff time and consultant charges.

5.03. Cross Connections. It shall be unlawful to cross connect a sanitary sewer service with a storm drain. Any connection of sanitary sewer services to the storm drainage system shall be disconnected and abandoned at the offender's expense plus reasonable fees or penalties the City may establish from time to time. The sanitary sewer service shall be routed to the nearest sanitary sewer main at no cost to the City.

5.04. Connection to System. Persons or entities who wish to connect roof drains or other site specific storm water facilities to the System shall (i) pay any applicable fees; (ii) obtain a permit from the Storm Water Manager; and (iii) install the connection in accordance with City specifications.

5.05. Manmade or Open Flow Drainageways.

A. It shall be unlawful to encroach upon Manmade or Open Flow Drainageways with:

1. Temporary or permanent structures;
2. Fill material, construction debris, garbage, tree limbs or other undesirable material; and
3. Household items.

B. Manmade or Open Flow Drainageways may be altered under the supervision of, and upon application to, the Storm Water Manager under the following circumstances:

1. A roadway crossing, provided drainage is considered in the design and culverts are designed to handle proper flow as specified in the Storm Water Master Plan and updates, or bridges are designed such that the opening is adequate;
2. Improvements such as detention basins; and
3. Slope improvements.

All improvements or changes to drainageways shall be designed by a registered professional engineer and submitted for approval to the Storm Water Manager. Approval must be obtained before any on-site work commences.

5.06. Violations. To the full extent permitted by law, a violation of rules and regulations relating to the care and use of the System (except for delinquent payments), including, without limitation, the requirements set forth in this Section 5, shall be a misdemeanor punishable by a fine or jail time.

Section 6. Storm Water Charges.

6.01. Imposition of Storm Water Charges. As authorized by Title 7, Chapter 7, Part 44, Title 7, Chapter 13, Part 43, and/or Title 69, Chapter 7, Part 1, M.C.A., as amended, the City is authorized to regulate, establish and change, as it considers proper, rates, charges and classifications imposed for the System to its inhabitants and other persons served by or that burden the System. Rates, charges and classifications must be reasonable and just. The City shall hold a public hearing prior to imposing rates and charges on properties within the Service Area for the benefits afforded by and burdens imposed on the System (such rates and charges, the "Storm Water Charge"). The Storm Water Charge shall be set and may be changed from time to time by resolution of the City following a public hearing and in accordance with State law.

6.02. Annual Budget for System. The City shall prepare an annual budget for the System. The budget shall include amounts necessary to pay the principal of and interest on any debt payable from the Storm Water System Fund, to pay Operating Expenses, and to establish replacement and depreciation reserves as may be appropriate or necessary.

6.03. Deposit of Collections. All Storm Water Charges shall be collected as provided in this section and credited to a fund to be known as the Storm Water System Fund, which fund shall be at all times segregated and maintained by the City Clerk/Treasurer on the books of the City as a separate and special fund. Upon adoption by the City Council of a resolution authorizing the issuance of revenue bonds of the City payable from Storm Water Charges or otherwise establishing a system of funds and accounts for such charges, all Storm Water Charges shall be applied and accounted for in the manner provided in such resolution.

6.04. Billing and Collection. The Storm Water Charge shall be billed as provided in the resolution approving the Storm Water Charge, which shall be adopted following a public hearing.

6.05. Late Fee; Delinquencies; Other Fees/Charges. The resolution approving the Storm Water Charge adopted following a public hearing may provide for determining when a bill is delinquent and late fees and any other pertinent fees or charges.

6.07. Procedures for Nonpayment. If the Storm Water Charge remains unpaid for a period of sixty (60) days, the City may elect to have the delinquent Storm Water Charges and any late fees or other pertinent charges collected as a tax against the property by following the procedures in Montana Code Annotated, Section 7-13-4309, as it may be amended from time to time.

6.08. Remedies for Nonpayment. In addition to the remedies set forth in Section 6.06 and 6.07, the City may proceed in court to collect any delinquent storm water charges and any

delinquencies and penalties and may pursue and exercise any other remedy available in law or in equity.

Section 7. Severability. If any provision of this chapter or its application to any person or property is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected.

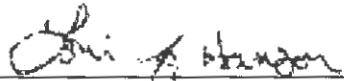
Section 8. Miscellaneous. A copy of the ordinances of the City and any contracts and applications applicable to the City shall be maintained for full inspection by the public. The passage of this Ordinance shall not preclude the Council from altering or amending it, in whole or in part, or from requiring other or additional service, equipment, facility or standard, either upon complaint, upon its own motion, or otherwise.

Where this Ordinance is in conflict with other laws, regulations, ordinances or resolutions, the more restrictive requirements shall apply or those of a higher authority shall prevail.

Section 9. Effective Date of Ordinance. This ordinance shall come into effect thirty days after approval on second reading.

Passed by the City Council of the City of Red Lodge, Montana on second reading and approved by the Mayor of the City of Red Lodge, Montana, this 24th day of November, 2020.

Approved: 
Mayor

Attest: 
City Clerk/Treasurer

(SEAL)

RESOLUTION NO. 3556

RESOLUTION OF INTENTION OF THE CITY OF RED
LODGE, MONTANA TO ESTABLISH A BASIS ON WHICH
STORM WATER SYSTEM CHARGES ARE DETERMINED
AND CHARGED AND PROPOSING RATES AND CHARGES

RECITALS

WHEREAS, the City of Red Lodge, Montana (the "City") presently owns and operates a sanitary sewer system for the collection and disposal of sewerage (the "Sanitary Sewer System") and into which storm and other surface waters are being discharged; and

WHEREAS, the Sanitary Sewer System also takes on storm water that seeps underground and infiltrates pipes and conduits; and

WHEREAS, the surface and storm water entering the Sanitary Sewer System is reducing the life expectancy of and the capacity of the wastewater treatment plant to treat wastewater; and

WHEREAS, accordingly the City has determined that it is necessary and desirable to establish a separate and distinct storm water system as a municipal utility, to establish rules and regulations relating to storm water and to construct improvements for the collection and disposal of storm and surface waters separate and distinct from the Sanitary Sewer System; and

WHEREAS, pursuant to Montana Code Annotated, Title 7, Chapter 7, Parts 42 and 43, and Title 7, Chapter 7, Part 44, M.C.A., the City is authorized to construct, better, improve and extend a storm water drainage system and issue revenue bonds to finance in whole or part the costs thereof; and

WHEREAS, the City Council (the "Council") of the City is further authorized and required by Title 7, Chapter 13, Parts 42 and 43, Title 7, Chapter 7, Part 44, and Title 69, Chapter 7, Part 1, M.C.A., to establish just and equitable rates, fees and charges and rentals for the services and facilities provided by a storm and surface water drainage system so as to make a storm water drainage system self-supporting; and

WHEREAS, the City has committed to establishing a separate and distinct storm and surface water drainage system that will initially consist of the existing storm water improvements, which will, to the extent practicable, ultimately be incorporated into and form a part of the new and expansive storm and surface water drainage system (the "System"), owned and operated by the City; and

WHEREAS, under Section 69-7-101, Montana Code Annotated, the City has the power and authority to regulate, establish, and change, as it considers proper, rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the municipal systems. Rates, charges, and classifications must be reasonable and just.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City as follows:

Section 1. Intent to Adopt Resolution Establishing Rates and Charges. It is the intent of the City to establish rates and charges for the establishment, use and availability of the System will be imposed by the City. The City is simultaneously proceeding with the enactment of an ordinance setting forth, among other things, rules and regulations regarding the System (as it may be amended from time to time, the "Ordinance"). The proposed rates and charges, if approved, will go into effect commencing July 2021.

Section 2. Proposed Rates and Charges.

2.1. Two Components. The City proposes to impose a storm and surface water drainage charge (the "Storm Water Charge"), which will ultimately have two components: the maintenance charge described in Section 2.2 hereof (the "Maintenance Charge") and a capital improvement charge described in Section 2.3 hereof (the "Capital Improvement Charge").

2.2. Maintenance Charge; Benefit and Applicability.

(a) Operation and Maintenance; Benefit. The City currently operates and maintains existing storm water improvements and, following establishment of the System, shall continue to do so as part of the operation and maintenance of the System. Operation and maintenance undertaken with respect to the System include, without limitation, cleaning leaves and debris from gutters, surface drainages and storm inlets; clearing plugged culverts; videoing and cleaning storm water pipes; and addressing localized flooding during large precipitation events. The City hereby determines that each lot, tract and parcel located within the Service Area (as defined in the Ordinance) is benefitted by the operation and maintenance undertaken with respect to the System.

(b) Applicability. Based on its determination that all lots, tracts and parcels within the Service Area are benefitted by the City's operation and maintenance activities, the City hereby determines that it is reasonable and just to spread the Maintenance Charge across all lots, tracts and parcels within the Service Area.

(c) Maintenance Charge. The City proposes to set the initial Maintenance Charge at \$3.39 per month for each lot, tract or parcel within the Service Area.

2.3. Capital Improvement Charge. In addition to its ongoing operation and maintenance activities, the City expects to undertake various improvements to the System in multiple phases. As the City determines to move forward with each phase of improvements, it will determine the amount and applicability of the Capital Improvement Charge by determining (1) those properties are benefitted by or burden the System as improved by the applicable phase of improvements, and (2) the costs of constructing and or financing construction of the particular phase of improvements. The City is not currently proposing a Capital Improvement Charge and will establish any Capital Improvement Charge by resolution following a public hearing in accordance with law.

Section 3. Billing. For administrative convenience only, the City proposes to place the Storm Water Charge on the property tax statements applicable to the properties being charged. Approximately one-half of the Storm Water Charge would be due with the November 30 property tax payments and approximately one-half of the Storm Water Charge would be due with

the May 31 property tax payments. The Storm Water Charge is proposed to commence July 2021 and will first appear on property tax bills due November 30, 2021.

Section 4. Late Charges. Delinquent payments will be charged a late payment equal to 10% of the delinquent amount of the Storm Water Charge for each month that the Storm Water Charge remains unpaid.

Section 5. Amount of Increase. The proposed Storm Water Charge is a new charge in conjunction with establishing the System as a separate municipal utility. Accordingly, all of the Storm Water Charge (which currently consists only of the Maintenance Charge) would be an increase over current utility bills, recognizing that in the absence of the new System, rates and charges relating to the Sanitary Sewer System would need to be increased to deal with the deleterious effects that storm and surface waters are having on the Sanitary Sewer System.

Section 6. Determination of Annual Budget for System. Each year the Council of the City shall determine the amount of money needed to pay the costs of the System including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the System; (b) administration of the System; (c) the payment of principal and interest on any bonded or other indebtedness of the System; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the Council or as covenanted in the ordinance or resolution authorizing any outstanding bonds of the System. Based on the annual needs of the System, the Council will establish monthly or semi-annual rates and charges for the use or availability of the System.

Section 7. Further Rate Increases. Subsequent adjustments to the Storm Water Charge or adoption of a new charge, including any Capital Improvement Charge to be imposed as a component of the Storm Water Charge, may be made by resolution of the Council duly adopted after a public hearing with notice thereof given as provided by law.

Section 8. Public Hearing. A public hearing on the establishment of the proposed rates and charges for the System will be held on November 24, 2020, commencing at 7:00 p.m. at the City Hall, 1 Platt Avenue North, in Red Lodge, Montana.

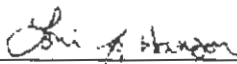
Section 9. Notice. The City Clerk-Treasurer is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the *Carbon County News*, a newspaper of general circulation in the City, on November 5, November 12 and November 19, 2020, and to mail or cause to be mailed a copy of said notice to all persons who own property in the City and to all customers of the System at least 7 days and not more than 30 days prior to the public hearing. The mailed notice must contain an estimate of the amount that the customer's average bill will increase. The City Clerk-Treasurer is also authorized and directed to mail by first class, postage prepaid, notice the public hearing to the Montana consumer counsel.

Passed and approved this 27th day of October, 2020.

A handwritten signature in cursive script, appearing to read "Wilbur Farnum", written over a horizontal line.

Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Loni Johnson", written over a horizontal line.
City Clerk-Treasurer

RESOLUTION NO. 3573

RESOLUTION OF THE CITY OF RED LODGE, MONTANA CONFIRMING
THE BASIS ON WHICH STORM WATER SYSTEM CHARGES ARE
DETERMINED AND CHARGED AND CONFIRMING RATES AND
CHARGES

RECITALS

WHEREAS, the City of Red Lodge, Montana (the "City") presently owns and operates a sanitary sewer system for the collection and disposal of sewerage (the "Sanitary Sewer System") and into which storm and other surface waters are being discharged; and

WHEREAS, the Sanitary Sewer System also takes on storm water that seeps underground and infiltrates pipes and conduits; and

WHEREAS, the surface and storm water entering the Sanitary Sewer System is reducing the life expectancy of and the capacity of the wastewater treatment plant to treat wastewater; and

WHEREAS, accordingly the City has determined that it is necessary and desirable to establish a separate and distinct storm water system as a municipal utility, to establish rules and regulations relating to storm water and to construct improvements for the collection and disposal of storm and surface waters separate and distinct from the Sanitary Sewer System; and

WHEREAS, pursuant to Montana Code Annotated, Title 7, Chapter 7, Parts 42 and 43, and Title 7, Chapter 7, Part 44, M.C.A., the City is authorized to construct, better, improve and extend a storm water drainage system and issue revenue bonds to finance in whole or part the costs thereof; and

WHEREAS, the City Council (the "Council") of the City is further authorized and required by Title 7, Chapter 13, Parts 42 and 43, Title 7, Chapter 7, Part 44, and Title 69, Chapter 7, Part 1, M.C.A., to establish just and equitable rates, fees and charges and rentals for the services and facilities provided by a storm and surface water drainage system so as to make a storm water drainage system self-supporting; and

WHEREAS, pursuant to Ordinance No. 953, adopted by the City Council on November 24, 2020, the City created and established a separate and distinct storm and surface water drainage system that will initially consist of the existing storm water improvements, which will, to the extent practicable, ultimately be incorporated into and form a part of the new and expansive storm and surface water drainage system (the "System"), owned and operated by the City; and

WHEREAS, under Section 69-7-101, Montana Code Annotated, the City has the power and authority to regulate, establish, and change, as it considers proper, rates, charges, and classifications imposed for utility services to its inhabitants and other persons served by the municipal systems. Rates, charges, and classifications must be reasonable and just; and

WHEREAS, pursuant to Section 69-7-111, M.C.A., the City Council shall order a public hearing prior to the passage or enactment of an ordinance or resolution imposing, establishing, changing or increasing rates, fees, or charges for services or facilities; and

WHEREAS, a notice of public hearing was mailed to all persons who own property in the City and to all customers of the System, notifying them that pursuant to Resolution No. 3556, adopted by the City Council of

the City on October 27, 2020, it was the intention of the City to establish rates and charges for the establishment, use and availability of the System, and notice of public hearing was published as required by Section 69-7-111, Montana Code Annotated; and

WHEREAS, a public hearing was held on November 24, 2020, commencing at 7:00 p.m. at the City Hall, 1 Platt Avenue North, in Red Lodge, Montana, for the purpose of hearing comments from the public on the establishment of the proposed rates and charges for the System and all persons appearing were given an opportunity to speak at the public hearing; and

WHEREAS, the Council determined after the public hearing held on November 24, 2020 to adopt Ordinance No. 953 and to establish rates and charges for the establishment, use and availability of the System; and

WHEREAS, the Council now desires to ratify and confirm the establishment of those rates and charges, which will go into effect commencing July 2021.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City as follows:

Section 1. Rates and Charges.

1.1. Two Components. After the public hearing on November 24, 2020, the Council approved imposing a storm and surface water drainage charge (the "Storm Water Charge"), which will ultimately have two components: the maintenance charge described in Section 1.2 hereof (the "Maintenance Charge") and a capital improvement charge described in Section 1.3 hereof (the "Capital Improvement Charge").

1.2. Maintenance Charge; Benefit and Applicability.

(a) Operation and Maintenance; Benefit. The City currently operates and maintains existing storm water improvements and, following establishment of the System, shall continue to do so as part of the operation and maintenance of the System. Operation and maintenance undertaken with respect to the System include, without limitation, cleaning leaves and debris from gutters, surface drainages and storm inlets; clearing plugged culverts; videoing and cleaning storm water pipes; and addressing localized flooding during large precipitation events. The City confirms its determination that each lot, tract and parcel located within the Service Area (as defined in the Ordinance) is benefitted by the operation and maintenance undertaken with respect to the System.

(b) Applicability. Based on its determination that all lots, tracts and parcels within the Service Area are benefitted by the City's operation and maintenance activities, the City hereby confirms its determination that it is reasonable and just to spread the Maintenance Charge across all lots, tracts and parcels within the Service Area.

(c) Maintenance Charge. Beginning July 2021, the initial Maintenance Charge will be \$3.39 per month for each lot, tract or parcel within the Service Area.

1.3. Capital Improvement Charge. In addition to its ongoing operation and maintenance activities, the City expects to undertake various improvements to the System in multiple phases. As the City determines to move forward with each phase of improvements, it will determine the amount and applicability of the Capital Improvement Charge by determining (1) those properties are benefitted by or burden the System as improved by the applicable phase of improvements, and (2) the costs of constructing and or financing construction of the particular phase of improvements. The City is not currently proposing a Capital Improvement Charge and will establish any Capital Improvement Charge by resolution following a public hearing in accordance with law.

Section 2. Billing. For administrative convenience only, the City will place the Storm Water Charge on the property tax statements applicable to the properties being charged. Approximately one-half of the Storm Water Charge would be due with the November 30 property tax payments and approximately one-half of the Storm Water Charge would be due with the May 31 property tax payments. The Storm Water Charge will commence July 2021 and will first appear on property tax bills due November 30, 2021.

Section 3. Late Charges. Delinquent payments will be charged a late payment equal to 10% of the delinquent amount of the Storm Water Charge for each month that the Storm Water Charge remains unpaid.

Section 4. Determination of Annual Budget for System. Each year the Council of the City shall determine the amount of money needed to pay the costs of the System including but not limited to: (a) the payment of the reasonable expense of operation and maintenance of the System; (b) administration of the System; (c) the payment of principal and interest on any bonded or other indebtedness of the System; and (d) the establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the Council or as covenanted in the ordinance or resolution authorizing any outstanding bonds of the System. Based on the annual needs of the System, the Council will establish monthly or semi-annual rates and charges for the use or availability of the System.


Section 5. Further Rate Increases. Subsequent adjustments to the Storm Water Charge or adoption of a new charge, including any Capital Improvement Charge to be imposed as a component of the Storm Water Charge, may be made by resolution of the Council duly adopted after a public hearing with notice thereof given as provided by law.

Section 6. Effective Date of Resolution. This resolution shall become effective within 10 days after being filed with the City Clerk-Treasurer. Upon approval of the City Council, the City Clerk-Treasurer is directed to immediately file this resolution in the office of the City Clerk-Treasurer.

Passed and approved this 11th day of May, 2021.


Mayor

ATTEST:


City Clerk-Treasurer

Clerks Report										
Feb-24 Function	1000 General	5210 Water	5310 Sewer	2100 Resort Tax	2394 Building	2820 Gas Tax	2220 LIBRARY	5410 Solid Waste	2520 STORM	TOTAL
GENERAL										
TAXES FROM COUNTY	\$ 22,161.88									\$ 22,161.88
SALE OF SUPPLIES	\$ 15.00									\$ 15.00
ANIMAL CONTROL (DOG TAGS)	\$ 70.00									\$ 70.00
FINES AND FORFEITURES	\$ 6,260.00									\$ 6,260.00
GAMBLING-VIDEO	\$ -									\$ -
OIL AND GAS	\$ 1,403.43									\$ 1,403.43
GAMBLING-LIVE	\$ -									\$ -
BUSINESS LICENSE	\$ 770.00									\$ 770.00
LIBRARY COLLECTIONS	\$ 48.80									\$ 48.80
LIBRARY FROM THE COUNTY	\$ -									\$ -
LIBRARY FROM THE STATE	\$ -									\$ -
LAW ENFORCEMENT (CATERING PERMITS)	\$ -									\$ -
STREET CLOSURE	\$ 1,100.00									\$ 1,100.00
PLANNING	\$ 40.00									\$ 40.00
ENTITLEMENT SHARE	\$ -									\$ -
LAW ENFORCEMENT ENTITLEMENT SHARE	\$ -									\$ -
COMP INS ENTITLEMENT SHARE	\$ -									\$ -
PERS ENTITLEMENT SHARE	\$ -									\$ -
VICTIM SURCHARGE	\$ 700.00									\$ 700.00
SURCHARGES	\$ 300.00									\$ 300.00
DONATIONS AND CONTRIBUTIONS	\$ -									\$ -
INTEREST	\$ 7,654.57									\$ 7,654.57
MISC CHARGES FOR SERVICES	\$ 3,959.41									\$ 3,959.41
RENTS AND LEASES	\$ -									\$ -
CDBG HOME GRANT	\$ 12,931.50									\$ 12,931.50
CDBG INTEREST	\$ 186.77									\$ 186.77
WATER										
DEPOSITS		\$ 400.00								\$ 400.00
WATER COLLECTIONS		\$ 96,358.23								\$ 96,358.23
CURBSTOP FEES		\$ 3,461.39								\$ 3,461.39
PENALTIES		\$ 3,253.78								\$ 3,253.78
MISC (ON/OFF FEES, LABOR, & METER SUPPLIES)		\$ 795.06								\$ 795.06
WATER INTEREST		\$ 5,075.49								\$ 5,075.49
WATER IMPACT FEES		\$ -								\$ -
WATER ADMIN FEES		\$ -								\$ -
UTILITY FROM TAXES		\$ -								\$ -
BOND PROCEEDS		\$ -								\$ -
MISC WATER REVENUE		\$ -								\$ -
SEWER										
SEWER COLLECTIONS			\$ 112,188.70							\$ 112,188.70
SEWER IMPACT FEES			\$ -							\$ -
SEWER ADMIN FEES			\$ -							\$ -
SEWER INTEREST			\$ 8,673.31							\$ 8,673.31
BOND PROCEEDS			\$ -							\$ -
UTILITY FROM TAXES			\$ 2,157.92							\$ 2,157.92
RESORT TAX										
3% RESORT TAX COLLECTIONS			\$ 14,093.99							\$ 14,093.99
RESORT TAX BONDS			\$ 500.00							\$ 500.00
INTEREST			\$ 2,524.74							\$ 2,524.74
POOL FEES										\$ -
URBAN FORESTRY										\$ -
BUILDING										
BUILDING PERMITS					\$ 1,881.00					\$ 1,881.00
BUILDING-SALE OF SUPPLIES					\$ -					\$ -
GAS TAX										
GAS TAX APPORTIONMENT						\$ 11,613.69				\$ 11,613.69
SPECIAL GAS TAX ALLOCATION										\$ -
GAS TAX EQUIPMENT-CAPITAL IMPROVEMENTS										\$ -
LIBRARY										
CONTRIBUTIONS AND DONATIONS						\$ 22.50				\$ 22.50
INTEREST						\$ 35.80				\$ 35.80
Solid Waste										
RECYCLING CENTER FEES								\$ 13,510.09		\$ 13,510.09
MISC RECYCLING REVENUE								\$ 226.20		\$ 226.20
RECYCLING SALE OF RECYCLABLES								\$ 373.80		\$ 373.80
STORM WATER										
STORM UTILITY FROM COUNTY TAXES									\$ 1,175.65	\$ 1,175.65
STORM- FEDERAL FUNDS									\$ -	\$ -
1% RESORT TAX COLLECTIONS									\$ 4,697.99	\$ 4,697.99
TOTAL	\$ 57,601.36	\$ 109,343.95	\$ 123,019.93	\$ 17,118.73	\$ 1,881.00	\$ 11,613.69	\$ 58.30	\$ 14,110.09	\$ 5,873.64	\$ 340,620.69

	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	TOTAL
2017-2018					
Bar/Rest	\$ 118,948.54	\$ 56,027.94	\$ 58,454.70	\$ 81,558.07	\$ 314,989.25
Liquor/Conv/Grocery	\$ 55,436.34	\$ 37,911.26	\$ 33,855.80	\$ 40,513.11	\$ 167,716.51
Short Term Rental	\$ 17,213.90	\$ 7,277.26	\$ 11,390.59	\$ 7,670.96	\$ 43,552.71
Hotel/Motel	\$ 74,496.65	\$ 20,466.69	\$ 21,818.38	\$ 31,289.73	\$ 148,071.45
Retail	\$ 45,908.81	\$ 22,021.00	\$ 16,382.45	\$ 28,662.59	\$ 112,974.85
Service/Equipment	\$ 1,569.70	\$ 619.53	\$ 911.82	\$ 1,192.84	\$ 4,293.89
TOTAL	\$ 313,573.94	\$ 144,323.68	\$ 142,813.74	\$ 190,887.30	\$ 791,598.66
2018-2019					
Bar/Rest	\$ 138,395.22	\$ 70,067.96	\$ 64,041.71	\$ 83,522.78	\$ 356,027.67
Liquor/Conv/Grocery	\$ 58,225.48	\$ 39,231.02	\$ 34,763.59	\$ 42,346.64	\$ 174,566.73
Short Term Rental	\$ 20,319.15	\$ 8,200.55	\$ 13,707.39	\$ 8,803.37	\$ 51,030.46
Hotel/Motel	\$ 79,085.96	\$ 20,177.25	\$ 24,333.96	\$ 31,071.55	\$ 154,668.72
Retail	\$ 57,583.44	\$ 25,554.91	\$ 15,385.15	\$ 24,514.58	\$ 123,038.08
Service/Equipment	\$ 2,110.78	\$ 531.13	\$ 749.09	\$ 852.95	\$ 4,243.95
TOTAL	\$ 217,324.81	\$ 163,762.82	\$ 152,980.89	\$ 191,111.87	\$ 863,575.61
2019-2020					
Bar/Rest	\$ 148,140.45	\$ 68,145.00	\$ 62,053.97	\$ 66,403.73	\$ 344,743.15
Liquor/Conv/Grocery	\$ 59,098.36	\$ 39,883.97	\$ 38,337.66	\$ 50,938.60	\$ 188,258.59
Short Term Rental	\$ 23,915.52	\$ 9,765.67	\$ 12,627.54	\$ 9,934.15	\$ 56,242.88
Hotel/Motel	\$ 78,598.80	\$ 18,399.91	\$ 19,747.79	\$ 17,664.78	\$ 134,411.28
Retail	\$ 53,211.53	\$ 22,142.98	\$ 13,747.73	\$ 24,732.29	\$ 113,834.53
Service/Equipment	\$ 2,234.73	\$ 550.86	\$ 545.99	\$ 710.22	\$ 4,041.80
TOTAL	\$ 365,199.39	\$ 158,888.39	\$ 147,060.68	\$ 170,383.77	\$ 841,532.23
2020-2021 *4% started 3rd Qtr 2020 (July 2020)					
Bar/Rest	\$ 194,991.03	\$ 83,642.33	\$ 100,566.78	\$ 139,882.39	\$ 519,082.53
Liquor/Conv/Grocery	\$ 95,128.77	\$ 67,290.65	\$ 60,749.71	\$ 76,506.97	\$ 299,676.10
Short Term Rental	\$ 40,893.14	\$ 22,232.57	\$ 33,249.08	\$ 32,387.15	\$ 128,761.94
Hotel/Motel	\$ 96,470.74	\$ 26,532.98	\$ 38,785.05	\$ 67,902.50	\$ 229,691.27
Retail	\$ 73,427.45	\$ 39,305.83	\$ 33,028.77	\$ 63,072.25	\$ 208,834.30
Service/Equipment	\$ 3,186.52	\$ 280.16	\$ 454.54	\$ 2,509.17	\$ 6,430.39
TOTAL	\$ 504,097.65	\$ 239,284.52	\$ 266,833.93	\$ 382,260.43	\$ 1,392,476.53
2021-2022					
Bar/Rest	\$ 234,202.85	\$ 118,848.94	\$ 113,984.66	\$ 146,361.87	\$ 613,398.32
Liquor/Conv/Grocery	\$ 106,248.75	\$ 67,983.89	\$ 61,533.62	\$ 70,319.31	\$ 306,085.57
Short Term Rental	\$ 62,967.67	\$ 28,602.26	\$ 45,806.21	\$ 30,438.86	\$ 167,815.00
Hotel/Motel	\$ 133,897.90	\$ 38,433.01	\$ 38,866.74	\$ 34,986.75	\$ 246,184.40
Retail	\$ 107,828.13	\$ 50,702.75	\$ 34,444.93	\$ 51,311.64	\$ 244,287.45
Service/Equipment	\$ 5,404.20	\$ 771.56	\$ 1,234.96	\$ 955.55	\$ 8,366.27
TOTAL	\$ 650,549.50	\$ 305,342.41	\$ 295,871.12	\$ 334,373.98	\$ 1,586,137.01
2022-2023					
Bar/Rest	\$ 227,963.41	\$ 139,937.46	\$ 130,773.64	\$ 189,755.98	\$ 688,430.49
Liquor/Conv/Grocery	\$ 95,583.99	\$ 70,817.62	\$ 78,856.02	\$ 95,782.53	\$ 341,040.16
Short Term Rental	\$ 51,433.12	\$ 27,008.80	\$ 32,091.23	\$ 31,149.01	\$ 141,682.16
Hotel/Motel	\$ 92,083.28	\$ 24,880.66	\$ 29,359.00	\$ 58,209.25	\$ 204,532.19
Retail	\$ 97,598.89	\$ 49,654.99	\$ 35,766.53	\$ 61,032.81	\$ 244,053.22
Service/Equipment	\$ 5,448.90	\$ 677.50	\$ 496.58	\$ 1,198.90	\$ 7,821.88
TOTAL	\$ 570,111.59	\$ 312,977.03	\$ 307,343.00	\$ 437,128.48	\$ 1,627,560.10
2023-2024					
Bar/Rest	\$ 288,035.59	\$ 156,689.63	\$ 2,020.00	\$ -	\$ 446,745.22
Liquor/Conv/Grocery/D	\$ 118,614.89	\$ 75,201.70	\$ -	\$ -	\$ 193,816.59
Short Term Rental	\$ 66,397.52	\$ 22,647.79	\$ 16.00	\$ -	\$ 89,061.31
Hotel/Motel	\$ 109,571.66	\$ 25,369.39	\$ -	\$ -	\$ 134,941.05
Retail	\$ 106,212.56	\$ 36,908.37	\$ -	\$ -	\$ 143,120.93
Service/Equipment	\$ 5,370.40	\$ 611.82	\$ -	\$ -	\$ 5,982.22
TOTAL	\$ 694,202.62	\$ 317,428.70	\$ 2,036.00	\$ -	\$ 1,013,667.32

FY2023-2024 Resort Tax 1% Collections Report

Updated

Feb-24

Q3	Jul-23	Aug-23	Sep-23	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 24,237.06	\$ 20,309.73	\$ 17,037.24	\$ 10,424.87	\$ 72,008.90
Liquor/Conv/Grocery/Disp	\$ 6,190.07	\$ 5,187.15	\$ 4,476.66	\$ 13,799.85	\$ 29,653.72
Short Term Rental	\$ 3,602.63	\$ 2,310.18	\$ 3,488.48	\$ 7,198.10	\$ 16,599.38
Hotel/Motel	\$ 7,701.79	\$ 7,153.72	\$ 6,701.58	\$ 5,835.83	\$ 27,392.92
Retail	\$ 5,759.54	\$ 4,506.72	\$ 4,412.65	\$ 11,874.23	\$ 26,553.14
Service/Equipment	\$ 470.43	\$ 674.79	\$ 187.28	\$ 10.10	\$ 1,342.60
TOTAL	\$ 47,961.52	\$ 40,142.28	\$ 36,303.90	\$ 49,142.96	\$ 173,550.66
Q4	Oct-23	Nov-23	Dec-23	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 11,294.80	\$ 9,473.14	\$ 14,933.15	\$ 3,471.32	\$ 39,172.41
Liquor/Conv/Grocery/Disp	\$ 3,015.14	\$ 2,757.57	\$ 3,532.40	\$ 9,495.33	\$ 18,800.43
Short Term Rental	\$ 767.95	\$ 468.68	\$ 1,105.41	\$ 3,319.91	\$ 5,661.95
Hotel/Motel	\$ 2,152.31	\$ 1,231.90	\$ 2,016.85	\$ 941.29	\$ 6,342.35
Retail	\$ 1,280.38	\$ 1,238.47	\$ 2,181.09	\$ 4,527.15	\$ 9,227.09
Service/Equipment	\$ 51.17	\$ 68.37	\$ 33.42	\$ -	\$ 152.96
TOTAL	\$ 18,561.73	\$ 15,238.13	\$ 23,802.32	\$ 21,755.00	\$ 79,357.18
Q1	Jan-24	Feb-24	Mar-24	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 505.00	\$ -	\$ -	\$ -	\$ 505.00
Liquor/Conv/Grocery/Disp	\$ -	\$ -	\$ -	\$ -	\$ -
Short Term Rental	\$ 4.00	\$ -	\$ -	\$ -	\$ 4.00
Hotel/Motel	\$ -	\$ -	\$ -	\$ -	\$ -
Retail	\$ -	\$ -	\$ -	\$ -	\$ -
Service/Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 509.00	\$ -	\$ -	\$ -	\$ 509.00
Q2	Apr-24	May-24	Jun-24	Reported Qtrly Only	TOTAL
Bar/Rest	\$ -	\$ -	\$ -	\$ -	\$ -
Liquor/Conv/Grocery/Disp	\$ -	\$ -	\$ -	\$ -	\$ -
Short Term Rental	\$ -	\$ -	\$ -	\$ -	\$ -
Hotel/Motel	\$ -	\$ -	\$ -	\$ -	\$ -
Retail	\$ -	\$ -	\$ -	\$ -	\$ -
Service/Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -

FY23-24	Q3	Q4	Q1	Q2	TOTAL
Bar/Rest	\$ 72,008.90	\$ 39,172.41	\$ 505.00	\$ -	\$ 111,686.31
Liquor/Conv/Grocery/Disp	\$ 29,653.72	\$ 18,800.43	\$ -	\$ -	\$ 48,454.15
Short Term Rental	\$ 16,599.38	\$ 5,661.95	\$ 4.00	\$ -	\$ 22,265.33
Hotel/Motel	\$ 27,392.92	\$ 6,342.35	\$ -	\$ -	\$ 33,735.26
Retail	\$ 26,553.14	\$ 9,227.09	\$ -	\$ -	\$ 35,780.23
Service/Equipment	\$ 1,342.60	\$ 152.96	\$ -	\$ -	\$ 1,495.56
TOTAL	\$ 173,550.66	\$ 79,357.18	\$ 509.00	\$ -	\$ 253,416.83

FY2023-2024 Resort Tax 3% Collections Report

Updated

Feb-24

Q3	Jul-23	Aug-23	Sep-23	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 72,711.19	\$ 60,929.19	\$ 51,111.72	\$ 31,274.60	\$ 216,026.69
Liquor/Conv/Grocery/Disp	\$ 18,570.21	\$ 15,561.44	\$ 13,429.97	\$ 41,399.54	\$ 88,961.17
Short Term Rental	\$ 10,807.88	\$ 6,930.53	\$ 10,465.45	\$ 21,594.29	\$ 49,798.14
Hotel/Motel	\$ 23,105.36	\$ 21,461.15	\$ 20,104.75	\$ 17,507.48	\$ 82,178.75
Retail	\$ 17,278.63	\$ 13,520.15	\$ 13,237.96	\$ 35,622.68	\$ 79,659.42
Service/Equipment	\$ 1,411.29	\$ 2,024.38	\$ 561.84	\$ 30.29	\$ 4,027.80
TOTAL	\$ 143,884.55	\$ 120,426.85	\$ 108,911.69	\$ 147,428.88	\$ 520,651.97
Q4	Oct-23	Nov-23	Dec-23	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 33,884.40	\$ 28,419.41	\$ 44,799.46	\$ 10,413.95	\$ 117,517.22
Liquor/Conv/Grocery/Disp	\$ 9,045.41	\$ 8,272.70	\$ 10,597.19	\$ 28,485.98	\$ 56,401.28
Short Term Rental	\$ 2,303.85	\$ 1,406.04	\$ 3,316.23	\$ 9,959.72	\$ 16,985.84
Hotel/Motel	\$ 6,456.92	\$ 3,695.71	\$ 6,050.54	\$ 2,823.88	\$ 19,027.04
Retail	\$ 3,841.13	\$ 3,715.42	\$ 6,543.27	\$ 13,581.46	\$ 27,681.28
Service/Equipment	\$ 153.50	\$ 205.12	\$ 100.25	\$ -	\$ 458.87
TOTAL	\$ 55,685.20	\$ 45,714.40	\$ 71,406.95	\$ 65,264.99	\$ 238,071.53
Q1	Jan-24	Feb-24	Mar-24	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 1,515.00	\$ -	\$ -	\$ -	\$ 1,515.00
Liquor/Conv/Grocery/Disp	\$ -	\$ -	\$ -	\$ -	\$ -
Short Term Rental	\$ 12.00	\$ -	\$ -	\$ -	\$ 12.00
Hotel/Motel	\$ -	\$ -	\$ -	\$ -	\$ -
Retail	\$ -	\$ -	\$ -	\$ -	\$ -
Service/Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 1,527.00	\$ -	\$ -	\$ -	\$ 1,527.00
Q2	Apr-24	May-24	Jun-24	Reported Qtrly Only	TOTAL
Bar/Rest	\$ -	\$ -	\$ -	\$ -	\$ -
Liquor/Conv/Grocery/Disp	\$ -	\$ -	\$ -	\$ -	\$ -
Short Term Rental	\$ -	\$ -	\$ -	\$ -	\$ -
Hotel/Motel	\$ -	\$ -	\$ -	\$ -	\$ -
Retail	\$ -	\$ -	\$ -	\$ -	\$ -
Service/Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -

FY23-24	Q3	Q4	Q1	Q2	TOTAL
Bar/Rest	\$ 216,026.69	\$ 117,517.22	\$ 1,515.00	\$ -	\$ 335,058.92
Liquor/Conv/Grocery/Disp	\$ 88,961.17	\$ 56,401.28	\$ -	\$ -	\$ 145,362.44
Short Term Rental	\$ 49,798.14	\$ 16,985.84	\$ 12.00	\$ -	\$ 66,795.98
Hotel/Motel	\$ 82,178.75	\$ 19,027.04	\$ -	\$ -	\$ 101,205.79
Retail	\$ 79,659.42	\$ 27,681.28	\$ -	\$ -	\$ 107,340.70
Service/Equipment	\$ 4,027.80	\$ 458.87	\$ -	\$ -	\$ 4,486.67
TOTAL	\$ 520,651.97	\$ 238,071.53	\$ 1,527.00	\$ -	\$ 760,250.49

FY2023-2024 Resort Tax TOTAL Collections Report

Updated

Feb-24

Q3	Jul-23	Aug-23	Sep-23	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 96,948.25	\$ 81,238.92	\$ 68,148.96	\$ 41,699.46	\$ 288,035.59
Liquor/Conv/Grocery/Disp	\$ 24,760.28	\$ 20,748.59	\$ 17,906.63	\$ 55,199.39	\$ 118,614.89
Short Term Rental	\$ 14,410.50	\$ 9,240.71	\$ 13,953.93	\$ 28,792.38	\$ 66,397.52
Hotel/Motel	\$ 30,807.15	\$ 28,614.87	\$ 26,806.33	\$ 23,343.31	\$ 109,571.66
Retail	\$ 23,038.17	\$ 18,026.87	\$ 17,650.61	\$ 47,496.91	\$ 106,212.56
Service/Equipment	\$ 1,881.72	\$ 2,699.17	\$ 749.12	\$ 40.39	\$ 5,370.40
TOTAL	\$ 191,846.07	\$ 160,569.13	\$ 145,215.58	\$ 196,571.84	\$ 694,202.62
Q4	Oct-23	Nov-23	Dec-23	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 45,179.20	\$ 37,892.55	\$ 59,732.61	\$ 13,885.27	\$ 156,689.63
Liquor/Conv/Grocery/Disp	\$ 12,060.54	\$ 11,030.27	\$ 14,129.59	\$ 37,981.30	\$ 75,201.70
Short Term Rental	\$ 3,071.80	\$ 1,874.72	\$ 4,421.64	\$ 13,279.63	\$ 22,647.79
Hotel/Motel	\$ 8,609.22	\$ 4,927.61	\$ 8,067.39	\$ 3,765.17	\$ 25,369.39
Retail	\$ 5,121.51	\$ 4,953.89	\$ 8,724.36	\$ 18,108.61	\$ 36,908.37
Service/Equipment	\$ 204.66	\$ 273.49	\$ 133.67	\$ -	\$ 611.82
TOTAL	\$ 74,246.93	\$ 60,952.53	\$ 95,209.26	\$ 87,019.98	\$ 317,428.70
Q1	Jan-24	Feb-24	Mar-24	Reported Qtrly Only	TOTAL
Bar/Rest	\$ 2,020.00				\$ 2,020.00
Liquor/Conv/Grocery/Disp					\$ -
Short Term Rental	\$ 16.00				\$ 16.00
Hotel/Motel					\$ -
Retail					\$ -
Service/Equipment					\$ -
TOTAL	\$ 2,036.00	\$ -	\$ -	\$ -	\$ 2,036.00
Q2	Apr-24	May-24	Jun-24	Reported Qtrly Only	TOTAL
Bar/Rest					\$ -
Liquor/Conv/Grocery/Disp					\$ -
Short Term Rental					\$ -
Hotel/Motel					\$ -
Retail					\$ -
Service/Equipment					\$ -
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -

FY23-24	Q3	Q4	Q1	Q2	TOTAL
Bar/Rest	\$ 288,035.59	\$ 156,689.63	\$ 2,020.00	\$ -	\$ 446,745.22
Liquor/Conv/Grocery/Disp	\$ 118,614.89	\$ 75,201.70	\$ -	\$ -	\$ 193,816.59
Short Term Rental	\$ 66,397.52	\$ 22,647.79	\$ 16.00	\$ -	\$ 89,061.31
Hotel/Motel	\$ 109,571.66	\$ 25,369.39	\$ -	\$ -	\$ 134,941.05
Retail	\$ 106,212.56	\$ 36,908.37	\$ -	\$ -	\$ 143,120.93
Service/Equipment	\$ 5,370.40	\$ 611.82	\$ -	\$ -	\$ 5,982.22
TOTAL	\$ 694,202.62	\$ 317,428.70	\$ 2,036.00	\$ -	\$ 1,013,667.32

To: Loni Hanson, City Clerk
P.O. Box 9
Red Lodge, MT, 59068

March 1, 2004

Re: Planning Board and Zoning Commission Position

Dear Loni,

As per the legal notice in the February 29th Carbon County News, I am writing to express my interest in continuing as a member of the Red Lodge City Planning Board and Zoning Commission. I was first appointed as a member by Mayor Ed Williams in 2014. I served a partial term for a member who retired during his initial term due to failing health. Since that time, I have been reappointed by and served under Mayors Schoenike, Larson, Cogswell and currently under Mayor Westwood. During my tenure we had three different Planning Directors, Forest Sanderson, Peter Italiano, and James Caniglia. After Caniglia resigned we worked with a staff city planner, Courtney Long. Currently we are working with a consultant City Planner from Great West Engineering. I have served as chair of the Planning Board since 2020.

I am not sure if you need more details of history and experience when making this reappointment. I have a master's degree from Michigan State University in geology/geophysics. Before I retired in 2000, I spent 35 years in oil and gas exploration with more than half my career in senior management positions. Outside my professional career I donated time and experience to several community and nationally based organizations. I have served in leadership positions such as chair of the Billings District 2 School Board (1992-98). During my tenure on the school board, we built Skyview High School and dealt with school closures and union negotiations. I was President and co-founder of the Billings Amateur Hockey League (1978). In 1982 we built Centennial Arena which is still operating today. I was the first President and Board Member of Montana Amateur Hockey, and the National Coach in Chief of USA Hockey (2004-2012). As National Coach in Chief I along with 12 district representatives were responsible for training and educating over 40,000 amateur hockey coaches. I am now a senior consultant in the USA Hockey Coaching Development Program. I am currently a Director Emeritus of USA Hockey.

My wife Carol and I have lived in Montana since 1978. We made Red Lodge our full-time permanent home in 2008. Locally, over the past 15 years, I have served the community in different roles. I was a member of the board of the local boys and girls club (2008-12). During that time, we renovated and remodeled the club facilities. I have served as president of Red Lodge Rotary, member of the Board for Red Lodge Ice, Incident Coordinator in Red Lodge Fire Dept, and most recently served as chair of the Red Lodge City Pool Committee (2020-23). I continue to work with the Pool Advisory Committee as a consultant and treasurer. I currently serve as vice chair of the Island of Rock Creel HOA.

In my opinion we have a very conscientious and dedicated planning board that in addition to the applications has dealt with some very difficult and sometime contentious issues. Specifically, STRs, Retail Marijuana, Airport RPZ development application, Urban Renewal District, and potential business park in the C-3-N. As we move forward and look at the issues facing the city, we may have some difficult and challenging tasks. I think it is a benefit to the city and perhaps more importantly the citizens to maintain a core of experience on the Planning Board. I serve at the pleasure of the mayor and would like to continue for another term.

Respectfully,

Al Bloomer
302 Kainu Ave
406-671-2754

Cc: Mayor David Westwood



CPRG Grant Application

March 12, 2024 Red Lodge City Council Meeting

Big thanks to **Mike Maples (Public Works Director)** for review and feedback, and **Matt Thompson (Ameresco)** for professional analysis

1



What is it?

CPRG = "Climate Pollution Reduction Grant"

A \$5 Billion nationwide grant program from the EPA

Goal: to reduce greenhouse gas emissions nationwide

Minimum grant award: \$2M (!)

Red Lodge can apply for its own grant, because on March 1 the MT DEQ has listed Government Efficiency projects and Electrical Grid Resilience as their priorities.

Application Deadline is April 1. "Think Big and Fast".

2

What will it let Red Lodge do?



Build our own energy self sufficiency, by generating our own energy right here

Make us resilient to disasters like floods or fires, with 2 independently functioning microgrids in case of electrical grid failures

Save the city a ton of money (\$75k/year) that can otherwise pay for teachers, fund vacant police officer positions, hire lifeguards, fill potholes, etc, and Protect against energy price volatility

Invigorate the local economy with stronger city finances, sufficient water pressure for possible Airport expansion, etc

Accelerate our water infrastructure projects

Create quality jobs and build future-oriented skills for our neighbors and nearby communities

Meet our GHG-reduction goals in the Energy Conservation Plan, 10 years early

3

What projects could we apply for?

1. Microgrid at the Wastewater Treatment Plant **\$1.8M**
2. Microgrid at the Water Works Road Pump Station **\$0.7M**
3. Lazy M Pump Station Bypass **\$0.4M**
4. Stormwater Diversion Project phases II/III **\$???**

TOTAL GRANT REQUEST: \$2.9 M.

No matching funds required

4

What's a Microgrid?

A self-contained source of electricity generation, storage, and distribution

Large number of solar panels coupled with large batteries to store energy until it's used at night or in case of grid failure

Functions as a self-contained electrical grid

Retains a grid connection as backup or times when solar production is limited and batteries are already discharged



5

1. Waste Water Treatment Plant Microgrid

Would save us \$50k in electricity per year - the largest single electricity consumer in the city

We'll be completely self-sufficient, most of the time

1,000 solar panels, and a 1.2 MW battery on-site

Fits on 2 acres of space

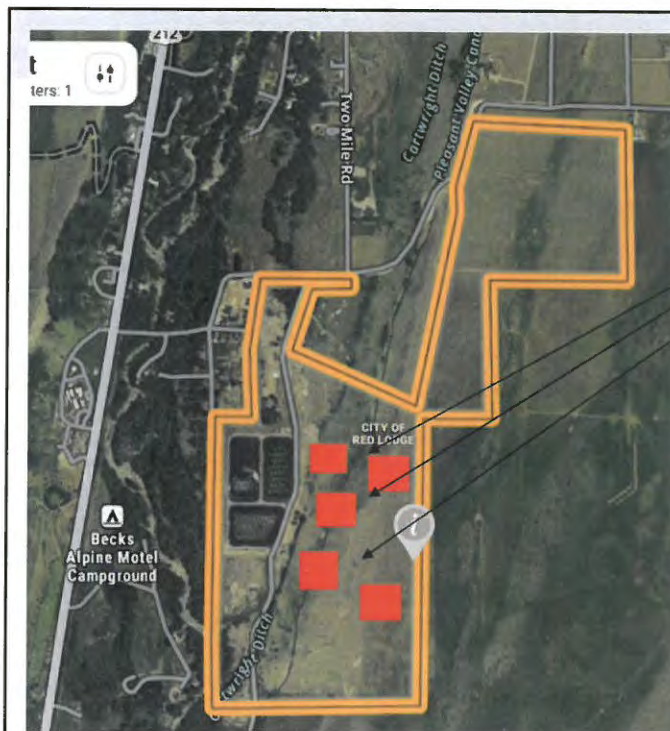
Cost approx. \$1.8M

6

Where would we put it?



7



Here or here or here... (each red rectangle is 2 acres)

Ameresco responses in Red.

What if we need to go over Cartwright Ditch?

"We never obstruct streams or other waterways understanding these types of concerns... if we had to install across the ditch from the interconnection point we could bore under the ditch without disturbing it... I would not be surprised if there is already buried infrastructure crossing under them."

-Ameresco

8

Is it too steep to put panels and batteries?

1 meter contour lines
drawn



shutterstock.com · 2225056373



"I'm sure there is an area that would be suitable and grading to improve the topography is not out of the question. We did use geo-ballasted, non-penetrating racking at the Missoula WWTP due to buried obstructions."

9

What about flood plains?

Proposed sites are **not** in flood plain.

Other considerations:

Distance from the point of interconnection
Amount of grading needed

"Suffice to say with 229 acres we can find somewhere that will work."

-Ameresco

Proposed sites are not in flood plain.



10

What about snow build up on the panels?

Avg. # of days snow-covered is already included in Energy Production analysis

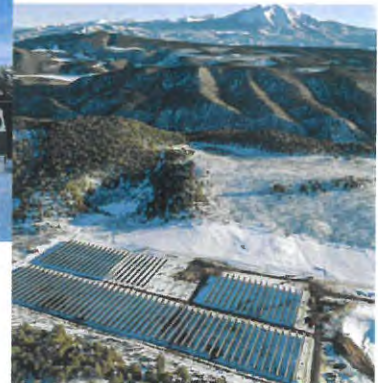
Angled arrays helps shed snow

We get most of our annual production in sunny summer months



11

Do batteries work in the cold?



Yes.

Climate is always a design consideration

Other installations in similar climates:

Colorado's Holy Cross solar battery

London School District in Ontario

12

Does solar work this far north?

Yes. **Missoula** installed an even larger solar array for their Waste Water Treatment Plant last year.

2 BIG DIFFERENCES BETWEEN THEIR PROJECT AND OURS:

1. Missoula doesn't own their panels; they have an energy contract. We would own ours outright, saving \$\$ every single month, thanks to the grant.
2. Missoula only has solar panels, and only provides 20% of their power needs. Ours would have panels and also batteries, and would cover 100% of our needs.



Engineering manager for the City of Missoula, Ross Mullenbauer, stands under a row of solar panels recently installed at the wastewater treatment facility (Kevin Moriarty/Missoula Current)

13

Comments from Missoula Engineering Manager Ross Mollenbauer re: recently installed 1,000 panel array

"It's gone really well."

"It requires zero maintenance, aside from occasionally mowing the fields in the summer."

"All equipment is under warranty."

"We're really proud of it. We presented it at this year's state-wide WasteWater conference."

"It meets all our goals."



Engineering manager for the City of Missoula, Ross Mollenbauer, walks between rows of newly installed solar panels at the city's wastewater treatment facility (Kevin Moriarty/Missoula Current)

-Missoula Engineering Manager Ross Mollenbauer,
3/11/2024, on phone call with Alan Best

14



Q: Will a microgrid make our vital infrastructure services **LESS RELIABLE?**

A: No. We still maintain our connection to the utility's electrical grid.

We'll have 2 grids to rely on, not just 1.

15



Q: Will it make it even **MORE RELIABLE?**

A: Yes. If the Grid itself goes down, we'll have our own Backup Energy Source.

Example: Water Works Road pump went down when the grid failed during the floods of June 2022

16

March 8, 2024:

“Partially treated wastewater spills into Russian River after treatment plant power outage”



<https://www.pressdemocrat.com/article/news/partially-treated-wastewater-spills-into-russian-river-after-treatment-plant/?artslide=0>

Psst: a microgrid would have prevented this mess.

17

- What's the cost of NOT having a backup microgrid?
- *"As we're seeing in Louisiana, inoperable pumps at a water utility mean there's **no clean water for drinking or bathing**. But it also means there's **no water for fire departments, hospitals and nursing homes, stores and restaurants**. Pressure losses can allow **contaminants to enter the drinking water distribution system** from surrounding soil and groundwater. Power failures are equally troublesome for wastewater utilities. When pumps fail, **untreated sewage can be discharged into rivers and streams**. This can also cause **sewage backups in homes and businesses**."*

specialist in New Orleans, LA

-Corey Miller, energy

18



Q. Cost of installation, maintenance, replacement?

A: Installation: paid by the no-match-required grant

Maintenance: Typically, there's nothing to do. We can include cost of ongoing **Ops & Maintenance contract with the installer for 10 years**, in the grant budget. Monitoring and any repairs or issues will be addressed by the solar installer.

Replacement - We don't ever have to replace it. We can always go back to taking more energy from the (expensive) grid. Systems typically degrade about 1%/year, but keep most of their original capacity for decades.

19

**Maybe I'm still concerned about maintenance cost.
Is this like gifting someone an airplane or a pet?**

There's no moving parts. They just sit there and work for decades.

Upkeep and repairs are not typically a concern.

We can put M&O costs for 10 years into the budget.

If it gets old, you don't have to replace it. Just go back to the old ways.

20

2. Water Works Road Pump Station Microgrid

Would save us \$20k in electricity per year. Second biggest electricity consumer

We'll be completely self-sufficient most of the time

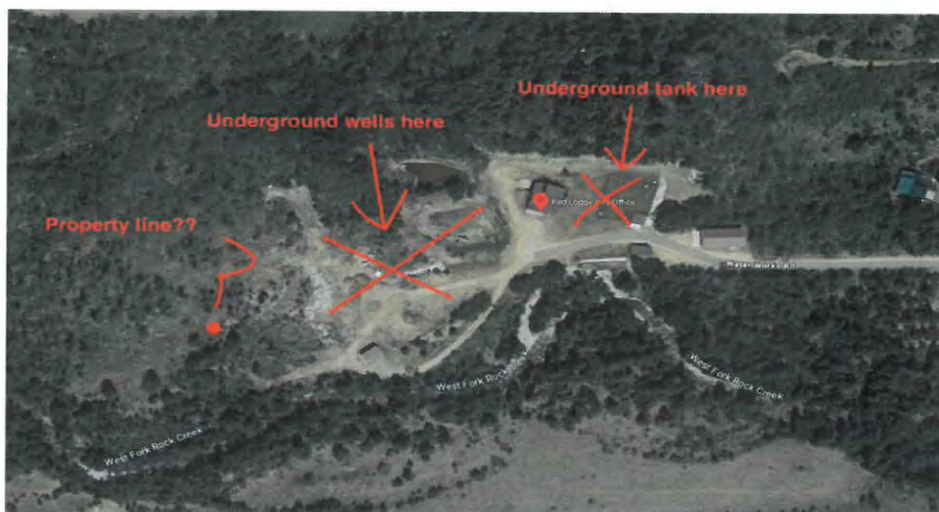
370 solar panels, 350 KWh battery, so about a third of the size of WWTP microgrid

Fits on 1 acre of land

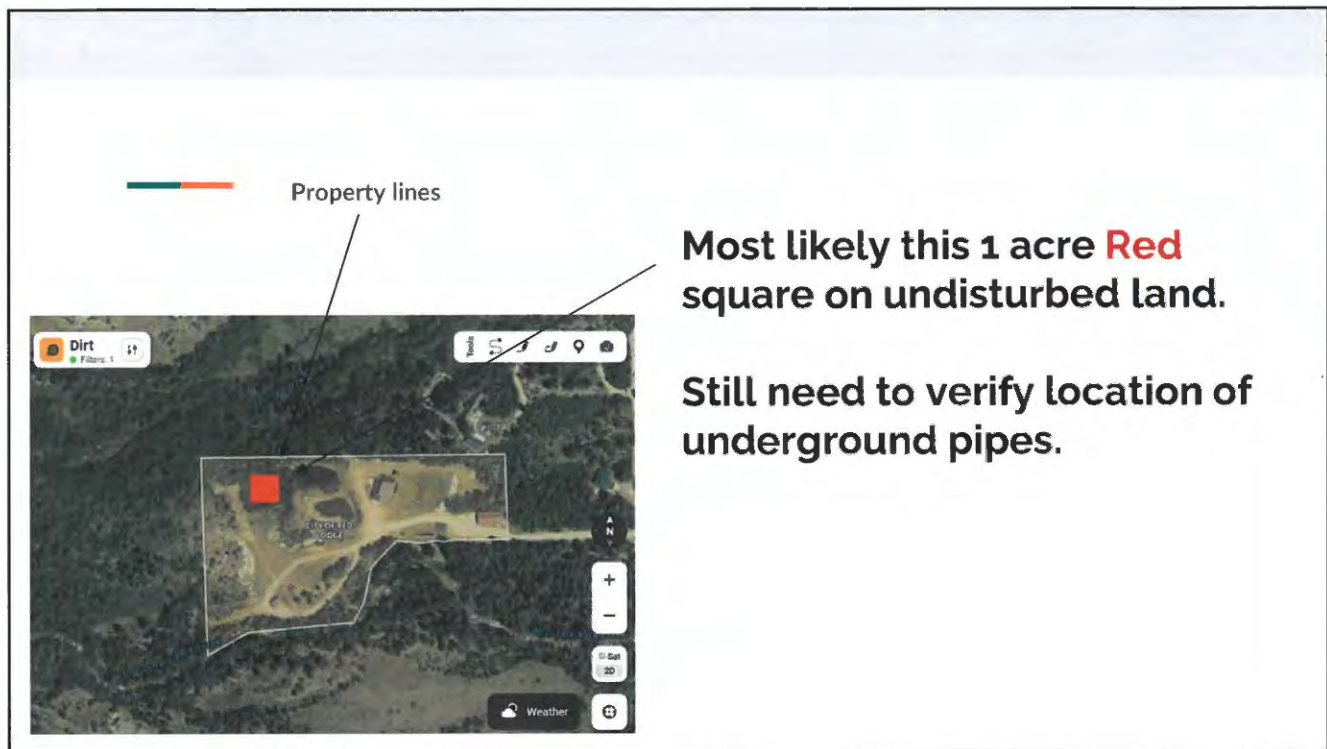
Cost approx \$700k

21

Where would we put it?



22



23

3. Lazy M Pump Station Bypass

A pre-approved \$1.25M city project to dig a 16" pipe diversion to *let gravity do its job*.

Grant request: \$400k for the currently unfunded portion.

Increased resilience: The pump system still works if the electricity goes out or an electric pump fails.

Would provide enough water pressure for our firefighters to do their jobs.



24

Lazy M Pump Station Bypass

This pump probably shouldn't exist.

It consumes \$5,000 per year in electricity, and it "pumps" water downhill, and doesn't provide enough water pressure for our firefighters to put out fires on the



Discounted fire insurance premiums for homes in West Bench subdivisions

25

Lazy M Pump Station Bypass means more water pressure

Sufficient water pressure for the proposed Airport Expansion:

Expanding the airport...



Or building an airport biz park...



First requires fixing this:



26

4. Stormwater Diversion Project, phases II/III

Diverts rainwater/snowmelt from our energy-consuming Waste Water Treatment Plant, saving money and Wear and Tear.

Need more time to research:

How much stormwater does it divert?
Millions of gallons per day on average?

Need to quantify how much energy/money does it save us

What would it cost?

Rainwater doesn't need to be intensively treated like sewage does!



27

City Attorney's concerns:

1. Obligations that come with the grant. Can the lawyer review the Notice of Funding Opportunity in the coming days?
 - a. <https://www.epa.gov/system/files/documents/2023-09/CPRG%20General%20Competition%20NOFO.pdf>
2. PW Director's concerns:
 - a. Site for microgrid, steepness of terrain - See prior slides for discussion
 - b. Presence of irrigation ditches - See prior slides
 - c. Effect of heavy snow and cold temps on equipment - See prior slides
 - d. Cost of installation, maintenance, replacement - See prior slides
 - e. Lack of other projects of this type in similar environment - See prior slides

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City Attorney's concerns, cont'd

3. Appointing a Grant Coordinator who needs to be a City Employee

Our current Contract Planner's term expires soon (Great West Engineering)

Renew contract, or Hire a new one: Brent Moore of Interstate Engineering?

City Planner Job Opening was posted in newspaper just this week.

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TIMELINE

Order of Operations:

1. CC to approve (?) this Resolution incl. PER for energy services provider tonight (or by Monday March 18 at the latest)
2. Alan Best finishes writing all possible sections of the grant (done by March 18)
3. Meanwhile, our Energy Services Provider (Ameresco?) to write these parts of the application: Budget, prior experience, review technical specs (done by March 20)
4. Give to City Attorney to review (done by March 26)
5. Pass on application materials to Loni/Monica to upload to Grants.gov to upload by deadline (By close of business April 1)
6. Mid July, hear back from EPA re: grant decision. **We can easily withdraw up to this point, if we find No-Go type fatal flaws.**
7. October 1 - EPA mails out checks, with construction starting soon thereafter
8. Save approx \$75k per year for decades, with our most vital services being prepared in case of disaster/grid outages
9. Discounted fire insurance; sufficient water pressure for proposed Airport Expansion

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SUMMARY:

This CPRG Grant is a huge pot of money for a good cause.

The EPA is looking for shovel-ready projects that will decrease GHGs and do good for communities.

We are uniquely in a good position to implement these funds for the greater good.

Red Lodge will benefit from large, perpetual cost savings, as well as resilience of our critical infrastructure in a time of increasing natural disasters.

Uncertain if we'll be awarded a grant, but **Guaranteed Failure** if we don't apply by April 1!

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SUMMARY, cont'd:

Build our own energy self sufficiency, for Waste Water Treatment and Domestic Water supply.

Make us resilient to disasters, like floods and fires that disrupt the electrical grid.

Save the city a ton of money - **\$75k per year for decades to come.**

Protect against energy price volatility

Invigorate the local economy with stronger city finances, sufficient water pressure for possible Airport Expansion, etc

Create quality jobs and build future-oriented skills.

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Thank you for your consideration.

We've been working breakneck speed since it was announced in October.

Grant application submission deadline: 9:59 pm mountain time zone, Monday April 1.

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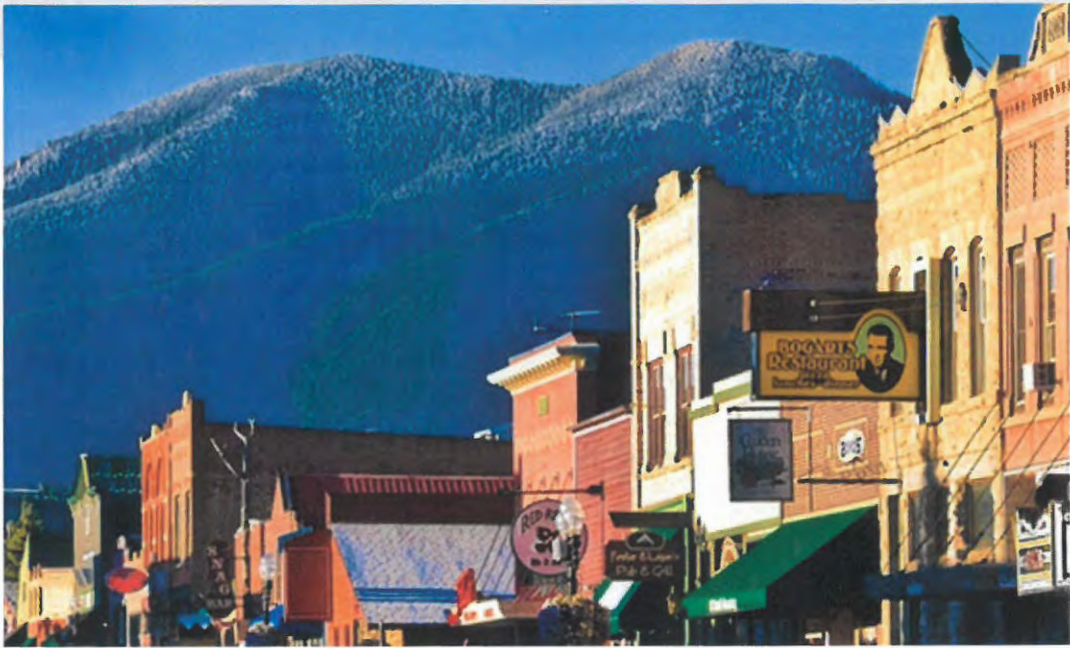
Questions?

AlanCBest@gmail.com

(303)883-0133 cell

Would request a Vote on this issue today, if possible.

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Big thanks to my 9 year old son Jack for this cool slide transition

Loni Hanson

From: Betsy Scanlin <bescanlin@msn.com>
Sent: Wednesday, March 20, 2024 1:10 PM
To: Jody Ronning; Kristin Keys; Shinta Daniels; Sandy Conlee; toupinward1@gmail.com; Dougmillier@earthlink.net
Cc: Dave Westwood; alancbest@gmail.com
Subject: CRPG Grant Possibility for Additional City Solar Panels

Dear valued City Council folks: I want to share my excitement about the pending \$2M CRPG ("Climate Pollution Reduction Grant") grant application that would enhance the City's solar generation of electricity!

More than a decade ago, while I was involved as a City Council representative and Mayor, Red Lodge received the distinction of being first in the state to install a massive system of solar panels at our wastewater treatment plant. Those panels have proven their worth, still at nearly full capacity after 17 years, with continued generation anticipated for many years.

This installation has saved the City many thousands of dollars in electricity bills, more than justifying its initial expense. Not only has it saved substantial City taxpayer money, it has prevented tons of greenhouse impacts from non-renewable energy, a goal that we shared a decade ago and is even more important today as we're experiencing serious climate changes that have directly impacted our own City economy with such disasters as the recent Rock Creek flooding that substantially disrupted our businesses as well as residents' homes.

Along with your advisory Sustainable Board, Alan Best has presented an opportunity to look into further savings for the City through the CPRG grant proposal. He and the Sustainability Board have made full preparations for the Council's review and approval to pursue this grant opportunity. Please respect and avail yourselves of the board members' work on this prior to your review.

It is my understanding that at this point in the process, there is no financial or other obligation of the City in pursuing an application for the grant, with regular updates before full commitment by the City.

I urge you to continue making Red Lodge a forerunner of sustainability by your role in timely approving pursuing this grant at this time, before the April 1 deadline. Time is of the essence.

Finally, thank you for serving us resident and business owners as Council representatives in Red Lodge! I know from personal experience that it takes substantial time and sacrifices to do so.

Best wishes,

Betsy Scanlin
401 N Word Ave.
(406) 671-1124
PO Box 65, Red Lodge, MT 59068-0065