



COUNCIL AGENDA

October 3, 2022 - 6 PM

The City Council will hold the meeting at the Community Center, 416 Cottonwood Avenue to allow social distancing protocols as part of the City of Deer Lodge's Coronavirus (COVID-19) transmission mitigation efforts.

1. **Call Meeting to Order | Pledge of Allegiance**
2. **Public Comment** – Members of the audience may comment on any non-agenda items. State Statute limits the City Council from discussing any introduced items. The Council limits each person to three minutes to ensure there is sufficient time for all comments. The Council respects all comments and will have staff follow up any questions.
3. **Public Hearing**
 - a. Community Development Block Grant Housing Grant Application – Jordan
 - b. Budget Public Hearing – Jordan
 - a. Action Item: Vote on Resolution 2022-R-18
 - c. Zoning Amendments Public Hearing – Jordan
4. **Approval of Minutes**
 - a. Regular Meeting: Deferred until next meeting
5. **Committee Reports** – Approve as presented
 - a. City Council Operations – Rob Kersch
 - b. Finance Committee – Dick Bauman
 - c. Economic Growth & Development – John Henderson
 - d. ARPA Steering Committee – Dick Bauman
 - e. Public Health & Safety – Joseph Callahan
 - f. Public Works – Jackie Greenwood
6. **Board Reports**
 - a. Airport Board – Gordon Pierson
 - b. Powell County Parks Board – Joseph Callahan
 - c. Chamber of Commerce – John Henderson
 - d. Headwaters RC&D – Joseph Callahan
 - e. Historic Preservation – Curt Fjelstad
 - f. Landfill – Rob Kersch
 - g. Local Emergency Planning Committee – Dick Bauman
 - h. Library – John Molendyke
 - i. Planning Board – Dick Bauman
 - j. Youth Board – Jackie Greenwood
7. **Continued Business** (Continued or Tabled)
 - a. None
8. **New Business** - The Council will act on each item after accepting public comments.
 - a. Treasurer's Report | September Claims – Stanley Glovan. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.
 - b. Skatepark Camera Quote – Jordan

- c. Personnel Policy Updates – Jordan
- d. Ron Slauson Pay – Jordan/Police Chief Smith
- e. Growth Policy Proposals: Review and Accept – Jordan

9. Schedule of Committee Meetings – Tentative until confirmed by Committee Chairs.

- Economic Growth & Dev – October 5th at 4 PM
- Finance – October 3rd at 4PM
- Public Health & Safety – October 6th at 5 PM
- City Council Operations – October 11th at 5 PM
- ARPA Steering Committee – TBD
- Planning Board – October 17th at 10AM
- Council #2 – October 17th at 6 PM
- Public Works – October 25th at 5 PM

10. Mayor and Council Concerns: (ONLY Concerns that are not on Business Items). This is a time when Council Members or Mayor can bring a concern before the Council that is not otherwise listed on the Agenda. NO action can be taken at this time. If action is necessary, the item is put on the next meeting agenda.

11. Next Meeting Announcement(s)

- a. Monday, October 17, 2022 at 6 PM

12. Adjournment

**Deer Lodge City Council meets in the PC Community Center
416 Cottonwood Ave, Deer Lodge, MT 59722
For Further Information Contact: Cyndi Thompson, City Clerk
cthompson@cityofdeerlodgemt.gov | 406.846.2238**

RESOLUTION 2022-R-18

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEER LODGE ADOPTING FINAL BUDGETS, BUDGET AUTHORITIES AND ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023.

WHEREAS, the City of Deer Lodge properly advertised and conducted a public hearing on this matter on October 3, 2022 at 6 PM in the Community Center, 416 Cottonwood Avenue, Deer Lodge, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA:

Section 1. Legal Spending Limits:

As part of the final budget the City Council hereby sets the City's budget level for the ensuing fiscal year:

- A. The estimated, July 1st, beginning cash balances;
- B. The estimated income;
- C. The authorized expenses; and,
- D. The estimated, June 30th, ending cash balances.

The authorized appropriations as stated, establish the legal spending limits of the municipality at the fund level. Detail below the fund level is informational only and does not reflect the legal spending limits.

Section 2. Property Tax Adjustments:

Property taxes are to be levied to the full extent of the law. If the property tax levy as allowed by law exceeds the budgeted property tax revenues, the additional property tax revenue will be placed in the General Fund's Reserve for Capital Project Funds and is available for appropriation there from.

Section 3. Appropriation Carry-overs:

Generally accepted accounting principles (GAAP) require expenditures to be recognized in the fiscal year in which the goods or services are received. As such, the Deer Lodge City Council hereby authorizes the carry-over of prior year unspent budget authority under the following conditions:

- A. Previous fiscal year appropriations or segments thereof, are hereby declared authorized appropriations, provided they meet the following criteria:
 - i. Related financing was provided in the prior fiscal year;
 - ii. The appropriations were not obligated by year end;
 - iii. The purpose was not included, or rejected, in current budget financing or appropriations; and
 - iv. The City Council determines the appropriation is still needed.
- B. Outstanding purchase orders and other obligations, representing a City obligation to pay the claim after receipt of the goods or services, are recognized as "claims incurred". They

are hereby declared authorized "carryover" appropriations, provided they meet the following criteria:

- i. Related financing was provided in the prior fiscal year;
- ii. The appropriations were not otherwise obligated by year end;
- iii. The purpose was not included, or rejected, in current budget financing or appropriations; and
- iv. The City Council determines the appropriation is still needed.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 3rd day of October, 2022.

The effective date of Resolution 2022-R-18 is October 3, 2022.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman				
Joseph Callahan				
Curt Fjelstad				
Jackie Greenwood				
John Henderson				
Robert Kersch				
John Molendyke				
Gordon Pierson				
James Jess Mayor				

James Jess, Mayor

Attest:

Cyndi Thompson, City Clerk

SUB-CHAPTER 11.01.030: APPLICATION OF DISTRICT REGULATIONS

SECTIONS:

11.01.030.010... APPLICATION OF DISTRICT REGULATIONS

11.01.030.010: APPLICATION OF DISTRICT REGULATIONS

- A. Except as provided in 11.01.170: R-3, RESIDENTIAL HIGH DENSITY, 11.01.170.040: LOT COVERAGE AND FLOOR AREA and 11.01.170.050: PROPERTY LINE SETBACKS with respect to supplementary regulations and nonconforming lots, uses and structures, the regulations set by this section shall be the minimum regulations and all regulations as categorized shall apply uniformly to each class or kind of structure or land and particularly;
1. No building or other structure shall hereafter be erected or altered:
 - a. To exceed the maximum height of the zoning district or bulk;
 - ~~b. to accommodate or house a greater number of families;~~
 - ~~c. To occupy a greater percentage of lot area;~~
 - d-b. To have narrower or smaller ~~rear yards, front yards. Additions cannot~~ impede on the minimum setback requirements of the zoning district, side yards, or other open spaces.
- B. No part of any yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Sub-Chapter shall be included as part of a yard, open space, or off-street Parking or loading space similarly required for any other building.
- C. No yard or existing lot at the time of adoption of this Sub-Chapter shall be reduced in dimensions or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Sub-Chapter shall meet at least the minimum requirements established by this Sub-Chapter.
- D. All territory which may hereafter be annexed to the City or the City's extraterritorial limits shall be considered to be in a similar or nearest classification district as designated by any county zoning Ordinance. However, the City Council shall determine the appropriate zoning for any and all areas to be annexed to the City or to be annexed to the City's extraterritorial limits but shall request a recommendation from the Deer Lodge City Planning Board and shall take into consideration the area Growth Policy.
1. When such zoning of annexed territory is to be effective at the time of such annexation, the Planning Board shall have held a public hearing in order that the City Council may determine the proper zoning by an amendment to be effective upon the effective date of such annexation.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

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SUB-CHAPTER 11.01.040: SUPPLEMENTARY REGULATIONS

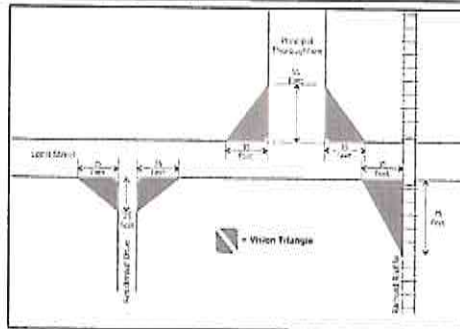
SECTIONS:

- [11.01.040.010.... VISIBILITY AT INTERSECTIONS](#)
- [11.01.040.020.... ACCESSORY BUILDINGS](#)
- [11.01.040.030.... PRINCIPAL STRUCTURES](#)
- [11.01.040.040.... EXCEPTIONS TO HEIGHT REGULATIONS](#)
- [11.01.040.050.... STRUCTURES TO HAVE ACCESS](#)
- [11.01.040.060.... FALLOUT SHELTERS](#)
- [11.01.040.070.... OUTDOOR LIGHTING](#)
- [11.01.040.080.... OUTSIDE STORAGE, ENCLOSURE REQUIRED](#)
- [11.01.040.090.... CORNER LOTS](#)
- [11.01.040.100.... PROTECTION OF STREET RIGHT-OF-WAY](#)
- [11.01.040.110.... FENCES, WALLS, AND HEDGES](#)
- [11.01.040.120.... LOTS IN TWO DISTRICTS](#)
- [11.01.040.130.... SWIMMING POOLS](#)
- [11.01.040.140.... YARD ENCROACHMENTS](#)
- [11.01.040.150.... STOP ORDER](#)

11.01.040.010: VISIBILITY AT INTERSECTIONS

- A. To ensure sufficient vision at intersections, no fence, wall, hedge, shrub, structure, or other obstruction to view which exceeds 42-inches in height shall be erected, installed, or maintained within a triangle formed by the property line immediately adjacent to a residential drive, local street, principal thoroughfare, or railroad right-of-way according to the following distances.

Street / Road Type	Required Distance from Intersections
Residential drive	25 feet
Local street	35 feet
Principal thoroughfare	55 feet
Railroad right-of-way	75 feet



(Ordinance 2021-15 – 12/20/2021; Effective 01/21/2022)

11.01.040.020: ACCESSORY BUILDINGS

- A. No accessory building shall be in any required front yard. Placement of an accessory building on any property shall comply with current building code.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.040.030: PRINCIPAL STRUCTURES

- A. In any district, more than one structure housing a permitted and customary ~~accessory~~-use may be erected on a single lot or tract of land, provided that yard, utility, and other requirements of this Code shall be met for each structure as though it were on an individual lot.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.040.040: EXCEPTIONS TO HEIGHT REGULATIONS

- A. The height limitations contained in any district regulations do not apply to spires, belfries, cupolas, chimneys, water tanks, ventilators, elevator housing, grain elevators, or other agriculture buildings, except where prohibited by Federal Aviation Regulations.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.040.050: STRUCTURES TO HAVE ACCESS

- A. Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be located on lots as to provide safe convenient access for servicing, fire protection, and required off-street parking.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.040.060: FALLOUT SHELTERS

- A. Fallout shelters to protect human life during periods of danger may be constructed in or under any required yard, except that if constructed in a front yard or side yard, none of it may protrude above the average grade of the lot.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.040.070: OUTDOOR LIGHTING

- A. Outdoor lighting of trees, bushes, fountains, swimming pools, or grounds of residences shall not illuminate or be reflected upon any adjacent property.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.040.080: OUTSIDE STORAGE, ENCLOSURE REQUIRED

- A. All salvage dealers, or other persons accumulating, depositing, or storing salvage, raw material, manufacturing material, building material, or other materials within the City of Deer Lodge limits when the accumulating, depositing, or storing thereof shall be without a building or not within a building, either now stored, deposited, or accumulated, or hereafter so deposited, stored or accumulated, shall fence surrounding said materials with a sight obscuring fence at least six feet high, to enclose said materials from public view from outside the enclosure and must comply with all regulations within the district in which it is located.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

SUB-CHAPTER 11.01.110: LANDSCAPING

SECTIONS:

[11.01.110.010.... INTENT](#)

[11.01.110.020.... APPROPRIATE LANDSCAPING MATERIALS](#)

[11.01.110.030.... IRRIGATION AND MAINTENANCE REQUIREMENTS](#)

[11.01.110.040.... CLEAR VISION STANDARDS](#)

[11.01.110.050.... COMMERCIAL SITE PLAN, COMPLETION OF LANDSCAPING, AND BOND](#)

11.01.110.010: INTENT

- A. The intent of this Ordinance is to protect the health, safety and welfare of the public by enhancing the beauty of the city, by protecting the character and stability of different uses of property, by preserving the value of land and buildings, by retarding the spread of noxious weeds, and other purposes beneficial to the public.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.110.020: APPROPRIATE LANDSCAPING MATERIALS

- A. Appropriate landscaping materials shall include ~~turf, shrubs, trees, flower beds, vines or other live plant coverplants, mulch, and rock.~~

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.110.030: IRRIGATION AND MAINTENANCE REQUIREMENTS

- A. All landscaping elements shall be maintained in good growing conditions and kept free of weeds, debris and litter, and whenever necessary, replace with new plant materials to ensure continued compliance with this Sub-Chapter. All walls and fences shall be maintained in good condition and, when necessary, be repaired or replaced. The owner of the property shall be responsible for compliance with this Sub-Chapter.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.110.040: CLEAR VISION STANDARDS

- A. All landscaped areas must comply with the clear vision standards for intersections and driveways, including the allowed height and placement of fences, walls, signs, landscaping materials, in addition to other objects located within the clear vision triangles(s)

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.110.050: COMMERCIAL SITE PLAN, COMPLETION OF LANDSCAPING, AND BOND

- A. A fully dimensional site plan of all proposed landscaping, including the composition of the landscaping and installation details shall be submitted with a building permit application under **11.01.260.020: PERMIT**.

1. A certificate of occupancy for the property shall not be issued until the landscaping is completed, or a bond in the amount of 150-percent of the cost of completion of the landscaping is provided to the City.
2. The cost of completion of the landscaping shall be determined by a professional landscaping business.

3. The bond shall be in the form of cash, certificate of deposit; letter of credit issued by a federally insured lending institution, completion bond issued by an approved insurance or bonding company.
4. The bond shall also be based on a written contract between the City of Deer Lodge and the contractor.
5. In the event that the landscaping is not completed according to the approved plan within one (1) year after the issuance of the certificate of occupancy, the City may obtain the proceeds from the bond and contract to have the landscaping completed.
6. The applicant shall be responsible for the entire cost of completing the landscaping, including any cost in excess of the amount of the bond.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

SUB-CHAPTER 11.01.150: R-1 – RESIDENTIAL, SINGLE-FAMILY DISTRICT, LOW DENSITY

SECTIONS:

[11.01.150.010.... INTENT](#)

[11.01.150.020.... PERMITTED USES](#)

[11.01.150.030.... LOT AREA AND WIDTH](#)

[11.01.150.040.... LOT COVERAGE AND FLOOR AREA](#)

[11.01.150.050.... PROPERTY LINE SETBACKS](#)

[11.01.150.060.... BUILDING HEIGHT](#)

[11.01.150.070.... OFF-STREET PARKING](#)

[11.01.150.080.... OFF-STREET LOADING](#)

[11.01.150.090.... MODULAR HOME REQUIREMENTS](#)

[11.01.150.100.... PERMITTED CONDITIONAL USES](#)

11.01.150.010: INTENT

- A. The intent of this district is to provide for low density single-family residential development and to provide for such community facilities and services as will serve the area's residents *while* protecting the residential character and quality of the area.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.020: PERMITTED USES

- A. The following are permitted uses:

1. Accessory uses.
2. Conditional uses provided in **11.01.150: R-1, RESIDENTIAL, SINGLE-FAMILY DISTRICT, LOW DENSITY, 11.01.150.100: PERMITTED CONDITIONAL USES** of this Title and subject to the provisions as prescribed.
3. Minor Home Occupations.
4. Newly Constructed one-family Dwellings.
- 4-5. ~~Duplexes, Triplexes, and Fourplexes.~~
- 5-6. ~~Open Space.~~
- 6-7. ~~Private and Public Child Care Facilities.~~
- 7-8. ~~Temporary building for and during construction only.~~

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.030: LOT AREA AND WIDTH

- A. **Any newly created lots** for this area for any use in this district shall be no less than ~~510,000~~ square feet and no lot width shall be less than ~~4080~~ feet.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

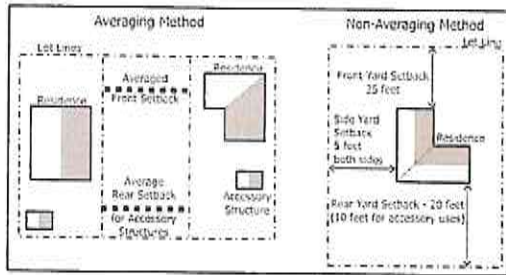
11.01.150.040: LOT COVERAGE AND FLOOR AREA

- A. Not more than ~~606040~~ percent of the lot area shall be occupied by the principal and accessory buildings.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.050: PROPERTY LINE SETBACKS

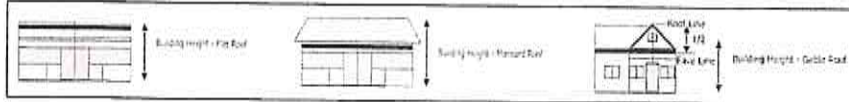
- A. The average of the existing setbacks of the lots on both sides and to the rear of the subject property will determine the property line setbacks. The following rules apply in calculating the average:
1. The setbacks used for the calculations must be for the same type of structure that is being averaged.
 2. Only the setbacks on the lots that abut each side of the subject property and are on the same street may be used.
 3. The rear setbacks directly opposite the subject property are applicable to determine the rear setbacks.
 4. Setbacks across the street or along a different street are unacceptable.
- B. The following minimum setbacks are required when the use of averaging method is not applicable:
1. Front Setback – 25 feet
 2. Rear Setback, principal structure – 20 feet
 3. Rear Setback, accessory uses – 10 feet
 4. Side – 5 feet each side (07.05.16)



(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.060: BUILDING HEIGHT

- A. Maximum building height in this district shall be 24 feet.



(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.070: OFF-STREET PARKING

- A. Off-street parking shall be provided.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.080: OFF-STREET LOADING

Reserved

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.090: MODULAR HOME REQUIREMENTS

- A. Modular homes located in the R-1 district shall be situated on a permanent foundation that shall meet current International Building Codes adopted by the City of Deer Lodge and any regulations set forth by the Montana State Building Codes Bureau. Modular homes in this district *can* be no *less* than twenty four (24) feet in width *and shall* have a minimum of a 4:12 pitched roof.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.150.100: PERMITTED CONDITIONAL USES

- A. The following uses may be permitted as conditional uses in the R-1, Residential, Single-Family District:

1. Churches.
2. Country Clubs.
- ~~3. Duplexes.~~
- ~~4.3.~~ Golf Courses.
- ~~5.4.~~ Libraries.
- ~~6.5.~~ Major Home Occupations
- ~~7.6.~~ Private and Public Schools, Elementary.
- ~~8.7.~~ Private and Public Schools, Junior High.
- ~~9.8.~~ Private and Public Schools, High.
- ~~10.9.~~ Private and Public Parks.
- ~~11.10.~~ Private and Public Playgrounds.
- ~~12.11.~~ Private and Public Universities and Colleges.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

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SUB-CHAPTER 11.01.160: R-2 – RESIDENTIAL-SINGLE FAMILY AND MANUFACTURED HOMES

SECTIONS:

[11.01.160.010.... INTENT](#)

[11.01.160.020.... PERMITTED USES](#)

[11.01.160.030.... LOT AREA AND WIDTH](#)

[11.01.160.040.... LOT COVERAGE AND FLOOR AREA](#)

[11.01.160.050.... PROPERTY LINE SETBACKS](#)

[11.01.160.060.... BUILDING HEIGHT](#)

[11.01.160.070.... OFF-STREET PARKING](#)

[11.01.160.080.... OFF-STREET LOADING](#)

[11.01.160.090.... MANUFACTURED HOME INSTALLATION STANDARDS](#)

[11.01.160.100.... PERMITTED CONDITIONAL USES](#)

11.01.160.010: INTENT

- A. The intent of this district is to provide for medium density single-family residential development, including manufactured homes, and to provide for such community facilities and services as will serve the area's residents while protecting the residential character and quality of the area.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.020: PERMITTED USES

- A. Permitted uses include:

1. Accessory uses.
2. Conditional uses provided in 11.01.160: R-2, RESIDENTIAL-SINGLE FAMILY AND MANUFACTURED HOMES, Section 11.01.160.100: PERMITTED CONDITIONAL USE and subject to the provisions as prescribed.
3. Newly constructed one-family dwellings.
4. Manufactured Homes, subject to the following restrictions:
 - a. Manufactured homes ~~must~~ may be single, double, or triple wide. ~~Single-wide manufactured homes are prohibited, allowed, but must be manufactured less than 20 years prior to their date of placement.~~
 - b. The area beneath the manufactured home structure shall be enclosed with materials that are aesthetically consistent with concrete or masonry foundations.
 - c. All towing apparatus, wheels, axles and transporting lights must be removed.
 - d. The front of the home must face the street with exterior facades consisting of vinyl or wood siding, stone, brick, or other non-metallic material.
 - e. The pitch of the roof must be at least 3:12 with a minimum of six inches of overhang and be finished with a type of shingle that is commonly used in standard residential construction.

- f. The home must have a properly constructed porch of at least three square feet outside each door with attached stairs.
- g. The double or triple-wide homes must have been manufactured after June 15, 1976 and have a HUD seal showing compliance with federal standards. Single-wide homes must be built less than 20 years prior to the date of placement.
- h. If a property owner seeks to replace an existing manufactured home on the same lot with another manufactured home, the proposed new manufactured home must be both newer and at least as large as the previous home in living space—comply with all other applicable standards.
~~The proposed new manufactured home must also comply with all other applicable standards.~~

~~1-5. Duplexes, Triplexes, Fourplexes.~~

~~5-6. Open Space.~~

~~6-7. Temporary buildings for and during construction only.~~

~~7-8. Private and public childcare facilities.~~

~~8-9. Government facilities and uses.~~

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.030: LOT AREA AND WIDTH

- A. Any newly created lots for this area in this district shall be no less than ~~75,000~~ 500 square feet and no lot width shall be less than ~~460~~ feet.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.040: LOT COVERAGE AND FLOOR AREA

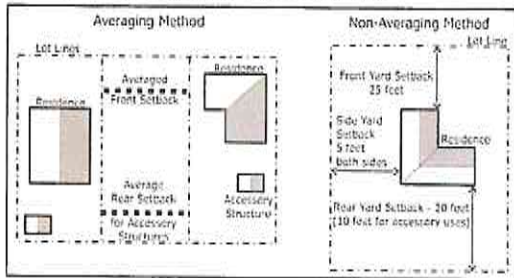
- A. Not more than ~~605040~~ percent (~~5040~~%) of the lot area shall be occupied by the principal and accessory buildings.
- B. Each newly constructed dwelling, and each manufactured home shall have a minimum of 700 square feet of floor area.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.050: PROPERTY LINE SETBACKS

- A. The average of the existing setbacks of the lots on both sides and to the rear of the subject property will determine the property line setbacks. The following rules apply in calculating the average:
 - 1. The setbacks used for the calculations must be for the same type of structure that is being averaged.
 - 2. Only the setbacks on the lots that abut each side of the subject property and are on the same street may be used. The rear setbacks directly opposite the subject property are applicable to determine the rear setbacks. Setbacks across the street or along a different street are unacceptable.
- B. The following minimum setbacks are required when the use of averaging method is not applicable:

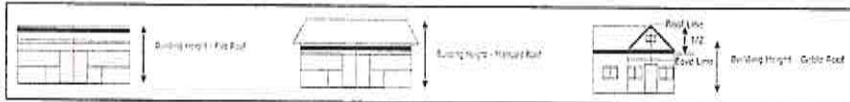
1. Front Setback: 25 feet
2. Rear Setback, principal structure: 20 feet
3. Rear Setback, accessory structure: 10 feet
4. Side Setbacks: 5 feet each side



(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 166 – 05/07/2018: Effective 06/08/2018; Ordinance Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.060: BUILDING HEIGHT

- A. Maximum building height in this district shall be 24 feet.



(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.070: OFF-STREET PARKING

- A. Off-street parking shall be provided.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.080: OFF-STREET LOADING

Reserved.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.090: MANUFACTURED HOME INSTALLATION STANDARDS

- A. Manufactured homes will be installed as per the requirements set forth in **11.01.060: MANUFACTURED HOME PARKS** of this Code.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.160.100: PERMITTED CONDITIONAL USES

- A. The following uses may be permitted as conditional uses in the R-2 Residential, Single-Family and Manufactured Homes:

1. Churches.
2. Country Clubs.

- ~~3.~~ Duplexes.
- ~~4.~~ Four-plexes.
- ~~5-3.~~ Golf Courses.
- ~~6-4.~~ Libraries.
- ~~7-5.~~ Major Home Occupations.
- ~~8-6.~~ Private and Public Schools, Elementary.
- ~~9-7.~~ Private and Public Schools, Junior High.
- ~~10-8.~~ Private and Public Schools, High.
- ~~11-9.~~ Private and Public Parks.
- ~~12-10.~~ Private and Public Playgrounds.
- ~~13-11.~~ Bed and Breakfast Inn.
- ~~14-12.~~ Relocated Single-Family Dwelling Unit.
- ~~15-13.~~ Storage Units.
- ~~16-14.~~ Professional Offices.

(Ordinance 163 – 12/19/2016: Effective 01/20/2017; Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

SUB-CHAPTER 11.01.170: R-3 – RESIDENTIAL HIGH DENSITY

SECTIONS:

[11.01.170.010.... INTENT](#)

[11.01.170.020.... PERMITTED USES](#)

[11.01.170.030.... LOT AREA AND WIDTH](#)

[11.01.170.040.... LOT COVERAGE AND FLOOR AREA](#)

[11.01.170.050.... PROPERTY LINE SETBACKS](#)

[11.01.170.060.... BUILDING HEIGHT](#)

[11.01.170.070.... OFF-STREET PARKING](#)

[11.01.170.080.... OFF-STREET LOADING](#)

[11.01.170.090.... PERMITTED CONDITIONAL USES](#)

11.01.170.010: INTENT

- A. The intent of this district is to provide for the development of medium density apartments. The district should provide a variety of housing types to serve the varied housing needs of area residents.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.020: PERMITTED USES

- A. The following are permitted uses:

1. Apartments.
2. Accessory uses.
3. Churches.
4. Conditional uses provided in 11.01.170.090: PERMITTED CONDITIONAL USES of this Subchapter and subject to the provisions as prescribed.
5. Efficiency Units.
6. Minor Home Occupations.
7. Multi-family Dwellings.
8. Newly Constructed Single-family Dwellings.

~~Manufactured Homes, subject to the following restrictions:~~

~~Manufactured homes must be double or triple wide. Single-wide manufactured homes are allowed, but must be manufactured less than 20 years prior to their date of placement.~~

~~The area beneath the manufactured home structure shall be enclosed with materials that are aesthetically consistent with concrete or masonry foundations.~~

~~All towing apparatus, wheels, axles and transporting lights must be removed.~~

~~The front of the home must face the street with exterior facades consisting of vinyl or wood siding, stone, brick, or other non-metallic material.~~

~~The pitch of the roof must be at least 3:12 with a minimum of six inches of overhang and be finished with a type of shingle that is commonly used in standard residential construction.~~

~~The home must have a properly constructed porch of at least three square feet outside each door with attached stairs.~~

~~The home must have been manufactured after June 15, 1976 and have a HUD seal showing compliance with federal standards.~~

~~If a property owner seeks to replace an existing manufactured home on the same lot with another manufactured home, the proposed new manufactured home must be both newer and at least as large as the previous home in living space.~~

~~8. The proposed new manufactured home must also comply with all other applicable standards.~~

9. Open Space.
10. Rooming and Boarding Houses (maximum of five rooming units plus family quarters.).
11. Temporary building for and during construction only.
12. Private and Public Childcare Facilities.
13. Private and Public Day Care Homes.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.030: LOT AREA AND WIDTH

- A. Minimum area for *any newly created lots* shall not be less than 5,000 square feet with a lot width of at least ~~450~~ feet

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

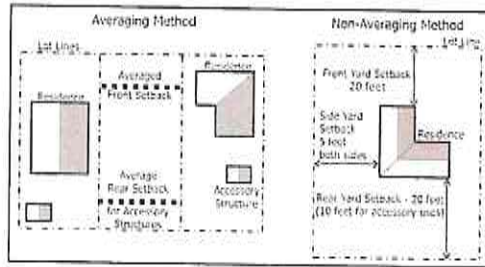
11.01.170.040: LOT COVERAGE AND FLOOR AREA

- A. Not more than ~~6050~~ percent of the lot area shall be occupied by the principal and accessory buildings. Each dwelling unit shall have a minimum of 550 square feet of floor area.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.050: PROPERTY LINE SETBACKS

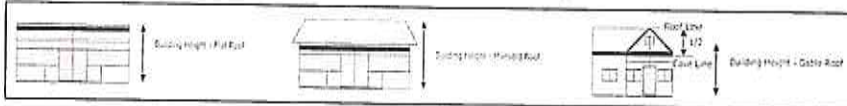
- A. The average of the existing setbacks of the lots on both sides and to the rear of the subject property will determine the property line setbacks. The following rules apply in calculating the average:
 1. The setbacks used for the calculations must be for the same type of structure that is being averaged.
 2. Only the setbacks on the lots that abut each side of the subject property and are on the same street may be used.
 3. The rear setbacks directly opposite the subject property are applicable to determine the rear setbacks.
 4. Setbacks across the street or along a different street are unacceptable.
- B. The following minimum setbacks are required when the use of averaging method is not applicable:
 1. Front Setback – 20 feet
 2. Rear Setback, principal structure – 20 feet
 3. Rear Setback, accessory uses – 10 feet
 4. Side – 7 feet each side



(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.060: BUILDING HEIGHT

A. Maximum building height in this district shall be 32 feet.



(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.070: OFF-STREET PARKING

A. Off-street parking *should* be provided.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.080: OFF-STREET LOADING

Reserved.

(Ordinance 2021-15 – 12/20/2021: Effective 01/21/2022)

11.01.170.090: PERMITTED CONDITIONAL USES

A. The following uses may be permitted as conditional uses in the R-3 Residential High Density District:

1. Bed and Breakfast Inn.
2. Clinics.
3. Country Clubs.
4. Golf Courses.
5. Home occupations.
6. Hospitals.
7. Libraries.
8. Manufactured Home Parks.
9. Medical Offices.
10. Professional Offices.
11. Private and Public Schools, Elementary.
12. Private and Public Schools, Junior High.
13. Private and Public Schools, High.
14. Private and Public Parks.
15. Private and Public Playgrounds.
16. Private and Public Universities and Colleges.
17. Relocated Single-Family Dwellings.

K12 Montana Inc.
PO Box 7390
Great Falls, MT 59406
(406) 468-1200
info@k12mt.com



Estimate

ADDRESS

City of Deer Lodge
300 Main Street
Deer Lodge, MT 59722

ESTIMATE # 1328
DATE 09/20/2022
EXPIRATION 10/31/2022
DATE

DESCRIPTION	QTY	RATE	AMOUNT
ACC-MNT-3 L-Bracket Mount (list \$129)	1	89.01	89.01
CD42-30E-HW CD42-E Outdoor Dome Camera, 30 Days (list \$1199)	1	989.31	989.31
LIC-5Y 5 Year Camera License (list \$999)	1	751.31	751.31
Verkada Shipping	1	90.00	90.00
PoE Injector	1	25.00	25.00
Camera line install and configure - includes wall holes, patching, and mount	1	425.00	425.00
Travel	1	400.00	400.00
One camera at skate park			
TOTAL			\$2,769.63

Accepted By

Accepted Date

K12 Montana Inc.
PO Box 7390
Great Falls, MT 59406
(406) 468-1200
info@k12mt.com



Estimate

ADDRESS

City of Deer Lodge
300 Main Street
Deer Lodge, MT 59722

ESTIMATE # 1327
DATE 09/20/2022
EXPIRATION 10/31/2022
DATE

DESCRIPTION	QTY	RATE	AMOUNT
ACC-MNT-9 Pole installation (list \$209)	1	179.00	179.00
CB51-30E-HW CB51-E Outdoor Bullet Camera, 30 Days (list \$1399)	1	956.31	956.31
LIC-5Y 5 Year Camera License (list \$799)	1	551.31	551.31
Verkada Shipping	1	90.00	90.00
PoE Injector	2	25.00	50.00
EZ-Bridge-Lite EZBR-0214+ High Power Outdoor Wireless Point to Point System	1	275.00	275.00
Camera line install and configure - includes cable, raceway, connectors and ends	1	425.00	425.00
EZ-Bridge installation	1	950.00	950.00

Quote - install line of site shot from skatepark outbuilding to scoreboard, and camera on scoreboard. Does NOT include required electrical work.

TOTAL

\$3,476.62

Accepted By

Accepted Date



300 Main Street
Deer Lodge, MT 59722

The City of Deer Lodge Personnel Policies

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PURPOSE AND DISCLAIMERS

The City of Deer Lodge has prepared this handbook to answer some of the questions concerning employment with the City of Deer Lodge (the City) and its policies and procedures. Please read it thoroughly and retain it for future reference.

These Personnel Policies and Procedures shall apply to all City employees. Elected Officials and certain appointed officials may, however, be exempt from certain portions of these policies or be covered by alternate policies or agreements. The Mayor may approve exceptions to any policy where the policy is not mandated by law.

If you are a unionized employee, please reference your Collective Bargaining Agreement to determine if this policy and the CBA differs.

In the event of conflict between these rules and any contract for a specified term of employment, City resolution or rule, or state or federal law, the terms and conditions of that contract, rule or law shall prevail to the extent they differ.

In the event of the amendment of any resolution, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes as of the effective date of the change.

The City specifically reserves the right to repeal, modify or amend these policies at any time, with appropriate public notice. To the extent that any provision of these policies is declared void or unenforceable by competent authority, the remaining provisions will be deemed to remain in full force and effect.

None of these provisions shall create a vested contractual right in any employee or to limit the power of the City of Deer Lodge to repeal or modify these rules.

AUTHORITY FOR PERSONNEL ACTION

The City of Deer Lodge reserves the right to direct, hire, promote, transfer, assign and retain employees. The City also reserves the right to supervise, discipline, and relieve employees from their duties for any reason determined sufficient by the City; as well as determine and change hours of work, shifts, and operational methods. The policies, practices, rules, and regulations may be established or changed/abolished with the sole discretion of the City. The Mayor/Chief

Administrative Officer and/or their designee will execute personnel actions at their discretion when necessary consistent with all applicable laws, regulations and this policy.

DIVERSITY & HARASSMENT PREVENTION

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

It is the policy of the City of Deer Lodge to ensure equal employment opportunity (as defined by the Equal Employment Opportunity Commission (EEOC) and the Montana Human Rights Act for all employees. The City promotes and affords equal treatment and services to all citizens, employees and representatives. The City assures equal employment opportunity regardless of race, color, religion, national origin, creed, sex, marital status, veteran/military status, genetic history, political belief, age or disability, (as defined by the Americans with Disabilities Act and ADA Amendments Act).

If an employee perceives he/she has been discriminated against, he/she should notify their immediate supervisor or the Mayor/Chief Administrative Officer or their designee.

AMERICANS WITH DISABILITIES ACT (ADA) AND THE ADA AMENDMENTS ACT (ADAAA)

The City of Deer Lodge is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA), the ADA Amendments Act and equivalent state disability laws. It is the city's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job with or without a reasonable accommodation. Consistent with this policy of nondiscrimination, the City will provide reasonable accommodations to a qualified individual with a disability, provided that such accommodation does not constitute an undue hardship on the City and/or a direct threat to the health and/or safety of the individual or others.

Employees or applicants who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Mayor/Chief Administrative Officer or other designee and request such an accommodation. The City will conduct an investigation to identify the barriers that make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The City will then identify possible accommodations, if any, that will help to eliminate the limitation or barrier. If the accommodation is reasonable and will not impose an undue hardship on the City and/or a direct threat to the health and/or safety of the individual or others, the City will make the accommodation. The City may also propose an alternative accommodation(s). City is not required to provide the accommodation preferred by the individual, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.)

The City will also make reasonable accommodations for conditions related to pregnancy, childbirth or related medical conditions, if requested with the advice of the employee's health care provider, as required by law.

HARASSMENT PREVENTION AND REPORTING

It is the policy of the City of Deer Lodge that harassment, based on a protected class will not be tolerated. Each individual has a right to work in a professional atmosphere that promotes equal

employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, employees are expected to act in a professional, cooperative and respectful manner to all contacts.

It is the policy of the City to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, national origin, creed, sex, marital status, veteran/military status, genetic history, political belief, age or disability both in or outside the workplace, on or off shift, in person or via electronic communication such as email, social media, etc.

Any employee who perceives a conversation or event as harassment, whether the employee is involved or merely observing, should explain to the offender in a calm, but firm manner that the action is perceived as inappropriate and the employee wishes the behavior to stop. Should the behavior continue, the employee should report the activity to their supervisor, or the Mayor/Chief Administrative Officer or their designee.

The City encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of the City to promptly and thoroughly investigate such reports with due regard to confidentiality. The results of the investigation will be communicated to the complainant and the offender.

A follow up review will be completed if harassment allegations have been made to ensure the harassment has discontinued and all parties involved are not subjected to retaliatory behaviors.

Definitions of Harassment

Sexual Harassment: According to the EEOC and Montana Human Rights Bureau, sexual harassment may include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical advances of a sexual nature.

For example:

- Occasions when such conduct, either explicitly or implicitly, is a term or condition of employment
- Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individuals
- Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Examples may include unwanted sexual advances or requests for sexual favors; sexual jokes or innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; gestures; suggestive objects of pictures or other physical, verbal or visual conduct of a sexual nature.

Other Harassment: Harassing behavior based on any other protected characteristic. For example: verbal, written or physical conduct that denigrates or shows hostility or aversion toward another because of his/her race, color, religion, national origin, creed, sex, marital status, genetic history, sexual orientation, political belief, age or disability

RETALIATION

No hardship, no loss or benefit, and no penalty may be imposed on an employee as punishment for:

- Filing or responding to a bona fide complaint of discrimination or harassment;
- Appearing as a witness in the investigation of a complaint; or
- Serving as an investigator.

Please report any retaliation to your supervisor, or Mayor/Chief Administrative Officer and/or their designee. Any report of retaliatory conduct will be objectively, timely and thoroughly investigated in accordance with the City's investigation procedure. Retaliation or attempted retaliation is a violation of this Policy.

VIOLENCE AND VIOLENT BEHAVIOR IN THE WORKPLACE

It is the intent of this policy to address violence in the workplace. Therefore, the City has adopted the following policy regarding confrontations between co-workers and citizens.

The City of Deer Lodge has a "ZERO TOLERANCE" attitude regarding violence in our workplace. This policy prohibits but is not limited to the following types of conduct:

- Injuring another person physically;
 - engaging in behavior that creates a reasonable fear of injury to another person;
 - engaging in behavior that subjects another individual to extreme emotional distress;
 - possessing, brandishing, or using an ~~un~~authorized weapon that is not required by the individual's position while on ~~state~~ City premises or engaged in ~~City~~state business; ☐ intentionally damaging property; ☐ threatening to injure an individual or to damage property; ☐ committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and ☐ retaliating against any employee who, in good faith, reports a violation of this policy. ☐
- Violent acts of employees occurring outside the workplace also may be grounds for disciplinary action, up to and including termination of employment if the violent conduct committed has an adverse impact on the employee's ability to perform the assigned duties and responsibilities or that it undermines the effectiveness of the City's activities.

Note: Employees maybe authorized by their agencies to possess weapons in the workplace if they are required as a part of employees' job duties with the City.

EMPLOYMENT CLASSIFICATIONS

As provided by 2-18-101 MCA, all City employees are assigned to one of the following employment classifications in each group by the appropriate City officer at the time of initial hire. Changes to employment classification can only be made by Chief Administrative Officer with the approval of the Mayor.

PERMANENT, SEASONAL, TEMPORARY OR SHORT TERM

Permanent Employee - an employee who has completed their probationary period of employment and is assigned to a position of indefinite duration that has been classified as "permanent." Permanent employees may work full-time (40 hours per week) or as part-time (normally working less than 40 hours per week). Permanent employees earn the benefits provided by these policies after satisfactorily completing a waiting period as detailed in each policy.

Seasonal Employee - an employee, assigned as seasonal, who is assigned to a permanent position where the work is interrupted by the seasonal nature of the duties and is, therefore, not generally laid off. Seasonal employees may, at the discretion of the City of Deer Lodge, be recalled without the loss of benefits accrued during the preceding season. Seasonal employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week). Seasonal employees must complete a probationary period of employment and earn a prorated share of the benefits provided by these policies after satisfactorily completing a waiting period as detailed in each policy.

Short-term Employee – an employee who works at an hourly rate of pay established by the City of Deer Lodge for a period of no more than ninety (90) working days (regardless of hours worked) in a continuous twelve (12) month period. When hiring a short-term worker, the hiring official must look at the days worked in the 12 months prior to the date of hire and may not employ the person for more than the number of days that remain when subtracting the number of days worked in the prior 12 months from the maximum 90 days of work eligibility. They are not eligible to become permanent employees without a competitive selection process. Short-term employees do not earn the holiday and paid time off benefits provided by these policies.

- Example: If an employee worked for 20 days in August of a given year and the following January was assigned to another short-term worker position, the employee would be eligible for a maximum of 70 more days of work (90-20) from the date of the second offer.

Temporary Employee - an employee who is hired for a period of time not to exceed twelve (12) months. Temporary employees are not permanent employees, are terminated at the end of the employment period, and are not eligible to become permanent employees without participating in a competitive selection process for the position they seek to hold. Temporary employees may be assigned as either full-time (normally working forty (40) hours per week) or part-time (normally working less than forty (40) hours per week). Temporary employees must serve a probationary period of employment and earn some of the benefits provided by these policies after satisfactorily completing a waiting period as detailed in each policy.

FULL-TIME OR PART-TIME

Full-Time Employees - employees who are scheduled to work 40 or more hours per week.

Part-Time Employees - employees who are scheduled to work less than 40 hours per week.

EXEMPT OR NON-EXEMPT

Exempt Employees - employees who work in executive, administrative, professional capacity or other exempt category and are not paid overtime (defined by Fair Labor Standards Act).

Non-Exempt Employees - employees paid 1-1/2 times their normal pay rate when they work overtime (defined by the Fair Labor Standards Act).

PROBATIONARY OR PERMANENT EMPLOYEE

Probationary Employee - All newly hired City employees in permanent positions serve a probationary period. During this period, the City will assess your ability to perform the duties assigned to your position. Your conduct and performance on the job are critical in determining whether you will be retained beyond your probationary period.

Your initial probationary period is twelve (12) months, unless otherwise stated in writing at the time of hire. Under certain circumstances, your probationary period maybe extended for an additional period of time.

If a situation arises during an employee's probationary period for which a leave is granted, the probationary period will be extended by the length of the approved period of time off.

Elected/Appointed/Employed - Certain individuals who have been elected to office or have been appointed as provided by applicable law may be exempt from some or all of the time off, compensation, hiring, discipline, grievance and other policies provided by these policies.

All other persons are employed by the City and are subject to these policies. To the extent that the provisions of the statute or ordinance under which the person has been elected or appointed to their position provide for different terms and conditions of employment than provided by these policies, those statutes or ordinances will take precedence.

If an employee has questions concerning their status, they should ask the Chief Administrative Officer.

RECRUITMENT AND HIRING PROCESS

It is the policy of the City of Deer Lodge to recruit, select, and promote personnel without regard to race, color, religion, creed, political beliefs or ideas, sex, age, marital status, physical or mental disability, genetic history or national origin, except where the reasonable demands of the job require a distinction to be made.

As provided by 7-4-2110 (5), MCA, the following procedures should be adhered to by all departments in filling positions except where otherwise provided by law:

1. Requests to fill all vacancies, except those positions where an elected official has a statutory right to appoint, whether through internal or external recruitment, shall be made to the Mayor as soon as a need of a possible vacancy arises. Upon receipt of notification and approval to fill the position, the selection process will begin. The selection process will be coordinated between the Mayor, Chief Administrative Officer and the supervisor affected.

2. A job description should be created or reviewed and updated as necessary.
3. A determination of minimum education and experience qualifications for the position should be established. These qualifications are normally expressed as the number of years and types of education and experience, which typically qualify a person to perform the specific duties of the job. These qualifications should be stated as the typical qualifications of persons qualified to perform the job and an allowance for candidates to establish their equivalent qualifications through alternate means should be made unless a qualification is required by applicable law, rule, regulation or contract.
4. A selection committee consisting of two or more members should be appointed. The selection committee, in cooperation with the Mayor, Chief Administrative Officer and/or the appropriate supervisor, will develop the selection strategy for application review, determination of testing methodology, administration of tests and scoring, and reference check criteria. The selection strategy should be developed in advance of the job posting, including questions, model answers, assignment of relative importance of each job factor, and total points and minimum passing scores.
5. Selection strategy may include one or more job related selection procedures including, but not limited to, oral interviews, review of application materials, references checks, performance tests or other valid screening devices.

The City may recruit for vacant positions internally before recruiting externally or internal recruitment may run concurrently with external recruitment. Positions will generally be posted internally/externally for at least five (5) working days.

All positions for which applications are solicited from outside the ranks of the current employees must be listed with the Montana Job Service. The hiring official may request that the Job Service collect applications and review them for completeness before forwarding them to the hiring official. Additional recruitment may be conducted where it is believed appropriate to obtain sufficient numbers of qualified applicants.

The City reserves the right to reject any and all applications for the position and re-advertise or extend the deadline for receipt of applications if there are not sufficient qualified applicants. Unless otherwise approved by the Mayor, Chief Administrative Officer and other designated positions (except elected officials) must reside at locations where they can report to their assigned work site within 30 minutes of receiving an emergency call in notification.

The City reserves the right to reassign current City employees to positions without a competitive selection process when necessary to implement an accommodation, reorganization or for other legitimate business reasons.

The City may also utilize the pool of candidates created in a recruitment effort for additional vacancies that may become vacant if the positions are sufficiently similar and the pool is sufficiently current to allow the hiring of additional individuals from the same pool.

Applications for a posted position will not be accepted after the published closing and/or receipt date unless the position is advertised as "open until filled."

In all external hiring, veterans are entitled to a 5% preference. Eligible relatives and disabled veterans are entitled to a 10% preference when a scored procedure is used. Where a scored procedure is not used in an external hiring, disabled veterans, eligible relatives or veterans, in that order, are entitled to a

preference over any non-preferred applicant holding substantially equal qualifications. (Section 39-29-102 MCA)

In all external hiring, persons with a disability and their eligible spouses are entitled to a preference in hiring over other non-preference applicants with substantially equal qualifications. Persons with a disability are entitled to a preference over any other preference-eligible applicants with substantially equal qualifications. Job offers shall be made in writing. Unless otherwise specified at the time of granting permission to recruit, the direct supervisor may extend the offer of employment to the successful candidate.

A job offer should specify whether the job is permanent, temporary, and seasonal or a short-term position and whether the job is full- or part-time. The offer should also specify the position, title, grade, salary, work location, starting date and hours of work and any additional special information related to terms and conditions of employment (i.e., responsibility to acquire or maintain a license or certification, need to work rotating shifts, etc.) that maybe appropriate to be included. The terms of all job offers must be consistent with existing policy and practice unless an exception has been pre-approved by the Mayor or other appropriate hiring official.

COMPENSATION POLICIES

TIME-KEEPING

Federal and state law requires the City of Deer Lodge to keep accurate records of time worked for all non-exempt employees. In order to comply with these requirements and to ensure that you are paid for all work, you are required to follow the following procedures, unless you have been notified that you are classified as exempt.

You must record all time worked by using the time sheet. You will not be allowed, permitted or asked to perform work of any kind or for any reason when you are not "clocked in." Your time sheet must be signed and given to your supervisor with a personal activity report for approval at the end of each pay period.

Because working before or after your scheduled work shift (including during scheduled unpaid meal periods) is considered time for which the City of Deer Lodge must compensate its employees, it is important that you do not begin work prior to your scheduled starting time or continue working after completing your assigned shift unless you have been requested to work additional time by your supervisor. You must record periods of time where your supervisor has approved a request for leave made by you and time spent on personal business.

HOURS OF WORK

Your basic work schedule may vary from week to week based upon special events, emergencies or budgetary considerations. If you find you are unable to report for work on time due to illness or other emergency, you must personally notify your supervisor/Chief Administrator as soon as possible via phone call or email. Leaving a voicemail does not automatically approve your absence and generally is not sufficient notification. When you are absent for more than one day, you must keep your supervisor informed on a daily basis, (unless you have been otherwise directed) as to when you may be expected to

return to work. If you are unable to report due to an emergency, please have another person call for you.

If you are absent from work without approval, it may be considered a voluntary resignation of your employment with the City of Deer Lodge

Your supervisor has the right to require appropriate verification or proof before approving absences that were not pre-approved. If your supervisor requests verification and you do not provide it as requested, your absence will generally be considered disapproved.

BREAKS

Rest periods of short duration, running from 5 minutes to about 20 minutes, are common. They promote your efficiency and are customarily paid for as working time. They must be counted as hours worked. Rest periods are not an entitlement and must not interfere with the accomplishment of assigned duties.

The City of Deer Lodge allows one fifteen-minute break per four hours work when the break does not interfere with the accomplishment of assigned duties. When an employee is on shift, one break may be taken during the first half of the work period, and one break may be taken during the second half of the work period. Breaks may not be used to start shifts late or leave early.

You are entitled to a one-hour unpaid meal break for every work period of 6 or more hours. You are allowed to take either a paid or unpaid meal break, pursuant to prior approval from your supervisor. If your meal break is unpaid, you must be completely relieved from all job duties. During your unpaid meal break, you must be completely relieved from all job duties. Meal breaks may not be used to start shifts late or leave early.

If you are an employee covered by a Collective Bargaining Agreement, please refer to your Agreement for guidance on your allowable breaks.

PAY PERIODS AND PAY DAYS

Our work week will begin on Sunday at 12:00 a.m. and end on Saturday at 11:59 p.m. Pay periods are the 26th through the 10th and the 11th through the 25th of each month. Paydays will be the 15th and the last day of the month. In the case of an employee who terminates employment for any reason, payday will be the earlier of the next regularly scheduled payday or 15 days from date of termination.

If the pay date falls on a holiday, paychecks will be available the first working day after the holiday. Attached to your paycheck will be a statement of earnings that shows the amount of gross pay, the amount and type of deductions, and amount of net pay. Deductions will be made including required deductions such as federal and state income tax withholding, social security tax (FICA), garnishments and any voluntary deductions authorized by the employee such as insurance premiums.

If you wish to authorize another person to pick up your paycheck, you must provide us with a signed written authorization for each paycheck designated by you to be picked up by someone else.

OVERTIME

There may be times when it is necessary for you to work beyond your normal workday. If the situation is an emergency or constitutes other circumstances pre-approved by your supervisor, we expect you to complete the task and notify your supervisor at the start of your next workday of the fact that you worked beyond your scheduled working hours. It may be necessary for your supervisor to alter your hours of work during the pay period you worked in excess of your normal workday to avoid overtime.

If you work in excess of forty (40) hours in a work week and are not considered to be exempt from state and federal overtime requirements, you will be paid at one and one-half times your regular hourly rate of pay for all hours worked in excess of forty (40) in a work week provided that the time you worked was approved and is properly recorded on your time record. All overtime must be authorized by your supervisor in advance, unless the situation is an emergency.

When we compute overtime pay, we will count all hours actually worked by you during the work week. Time for which you have been paid but did not actually work, such as vacations, sick leave, or holidays, are not considered time worked for purposes of calculating overtime.

SOCIAL SECURITY/MEDICARE

As an the City of Deer Lodge employee, you are covered by Social Security/Medicare which provides retirement and health benefits for employees and their families as required by law in the event of retirement, hospitalization after age 65 (Medicare), total and permanent disability before age 65, and death at any time. Contact the local Social Security Office for details on the benefits provided.

WORKER'S COMPENSATION

As a City of Deer Lodge employee, you are covered by a workers' compensation insurance program. Workers' compensation covers both lost wages and work-related medical expenses if you suffer a covered, work-related accident or illness.

These benefits are defined by the laws of the State of Montana and are administered by a third-party insurance carrier. The City of Deer Lodge pays the entire cost of coverage.

If you should be involved in an accident that occurs on the job you must obtain and complete an accident reporting form, even if you believe there are no injuries. You should complete and submit the accident report as soon as possible, but in no case later than 24 hours after the accident. Your supervisor may, at any time, direct you to see a health care provider to obtain treatment or to obtain a doctor's certificate or other verification of your illness or accident. Documentation showing this verification must be given to your supervisor to be placed in your personnel file when it is received. After each medical appointment during your recovery, you will submit a completed and signed medical status form from your medical provider to be placed in your personnel file.

Your ability to return to pre-accident prescribed work duties will be determined by your supervisor/medical provider. Your supervisor, who may at their discretion, with recommendation from your medical provider, assign transitional work duties to accommodate your recovery should you not be able to return to pre-accident work duties. Any documentation from a health care provider or from the City's third-party insurance carrier showing work limitations should be given to your supervisor when it is received to place in your personnel file. Employee pay during a transitional

work assignment will be maintained at its current rate. Transitional duty positions are not considered permanent.

If you are off work for more than the waiting period established by the law of the State of Montana and are unable to return for a transitional work assignment, you may be eligible for lost wages at a reduced rate. If so, you are prohibited from receiving both the workers' compensation benefits and sick leave for the same period of time. During this time, you will maintain contact with your supervisor on a weekly basis to allow you to update your supervisor on your progress and to request accommodations, where necessary.

UNEMPLOYMENT INSURANCE

The City of Deer Lodge provides coverage for unemployment insurance benefits. The laws of the State of Montana determine eligibility for such benefits. Information on making a claim for benefits is posted on the official Agency bulletin board.

EMPLOYEE BENEFITS

EMPLOYEE BENEFITS PLAN

Regular employees may participate in the City of Deer Lodge's benefit plan. The City of Deer Lodge will pay a specified dollar amount into the benefit plan that the employee can use to pay for options elected. For regular part-time employees, the City of Deer Lodge will pay a pro-rated amount of the contribution into the benefit plan.

Specific benefits of the benefit plan are described in the Plan Document and Summary Plan Description, (an appendix is available from the Clerk/Personnel Director). For employees utilizing specific insurance products, the insurance plan documents will be forwarded to them directly from the Insurance Provider MMIA. The insurance Provider will also supply insurance cards for the covered employee/dependents directly to the employee.

RETIREMENT

Some City of Deer Lodge employees participate in the Public Employees' Retirement System (PERS) which is a statewide retirement plan established in 1945 and governed by MCA 19-3-101 et seq providing retirement services to substantially all public employees. The PERS is a mandatory multiple-employer, cost sharing plan administered by the Public Employees' Retirement Division (PERD).

The PERS offers retirement, disability and death benefits to plan members and their beneficiaries. Benefits provided by the PERS are described in the Public Employees' Retirement System Member Handbook (available from the City Clerk).

The State legislature has the authority to establish and amend contribution rates to the plan.

Some employees participate in other retirement programs, please refer to each specific retirement program for information on the program's guidelines.

ANNUAL LEAVE

Each permanent full-time employee shall earn annual vacation leave credits from the first day of employment. Vacation leave credits earned must be credited at the end of each pay period. However, employees are not entitled to any vacation leave with pay until they have been continuously employed for a period of 6 calendar months.

Regular full-time employees accrue Annual Leave as follows:

Time Worked	Workday Credit Per Year	Hours per month based on an 8-hour day
1 day through 10 years	15	10
11 years through 15 years	18	12
16 years through 20 years	21	14
21 and over	24	16

- Seasonal employees earn vacation credits. However, seasonal employees must be employed for 6 qualifying months before they may use the vacation credits. In order to qualify, seasonal employees shall immediately report back for work when operations resume in order to avoid a break in service.
- Permanent part-time employees are entitled to prorated annual vacation benefits if they have worked the qualifying period.
- An employee may not accrue annual vacation leave credits while in a leave-without-pay status.
- Temporary employees earn vacation leave credits but may not use the credits until after working for 6 qualifying months.
- A short-term worker or a student intern, as both terms are defined in 2-18-601, may not earn vacation leave credits, and time worked as a short-term worker or as a student intern does not apply toward the person's rate of earning vacation leave credits.

The maximum annual leave amount accumulated is twice the number of days earned annually at the end of any calendar year. Annual Leave exceeding the maximum amount must be used within 90 calendar days of the next calendar year in which the excess was accrued, or it will be forfeited.

Requesting Leave

Requests for annual leave must be submitted in advance and pre-approved by the employee's supervisor. The annual leave will be approved after considering the best interest of the City of Deer Lodge, the employee's unit, and the employee's request. Should two employees request the same period of Annual Leave, management has discretion regarding the approval of the leave requests.

An employee, who has passed the six-month qualifying period and has separated from the service of the City of Deer Lodge for any reason, shall be entitled upon termination to cash compensation pay-out for unused Annual Leave. The payout will be based upon the employee's salary at time of termination.

SICK LEAVE

All regular full-time employees earn sick leave from the first day of employment; however, they are not entitled to use paid sick leave until they have been employed continuously for the qualifying period of 90 days. Employees who are sick before they finish the qualifying period may ask their supervisor to grant paid sick leave with the understanding that their leave balance will be affected if their employment is terminated before completing the qualifying period. Sick leave is earned at a rate of eight (8) hours per month, without restriction as to the number of hours that may be accumulated. For calculating sick leave, 2080 hours (52 weeks x 40 hours) equals one year. Sick leave must be credited at the end of each pay period. Employees may not accrue sick leave while in a leave-without-pay status.

Regular part-time employees earn a prorated amount of sick leave if they have worked the qualifying period. Temporary and seasonal employees are entitled to sick leave benefits provided they work the qualifying period. Short-Time Workers do not accrue leave.

An employee who has passed the 90-day qualifying period and who separated employment from the City of Deer Lodge shall be entitled upon termination to cash compensation pay-out for the unused leave equal to one-fourth the accumulated sick leave. The payout will be based upon the employee's salary at the time of termination.

Requesting Sick Leave

All requests to use sick leave for purposes of medical appointments should be made to the immediate supervisor, with as much advance notice as possible.

Notification of absence because of illness will be given to the immediate supervisor, via a phone call or email prior to the start of the employee's shift. The supervisor will notify appropriate staff of the absence. If an employee's immediate supervisor is unavailable for the day, the employee is to notify the supervisor's designee or the Chief Administrative Officer or his/her designee. The immediate supervisor may grant permission for alternative notifications or have additional requirements in regard to notification.

Use of Sick Leave:

Employees may use sick leave for personal illness or physical incapacity, sickness of immediate family member, or death in the immediate family of employee (refer to bereavement leave). Sick leave benefits shall apply to bona fide cases of sickness, accidents, doctor or dental appointments, maternity/paternity leave, and requests for the employees' presence due to immediate family member's illness or emergency.

Sick leave utilized must not exceed the amount accrued by the employee. If the sick leave balance is exhausted, an employee may choose to use his/her accrued annual leave or Leave Without Pay (with approval from the supervisor-see LWOP policy). The City of Deer Lodge may not require an employee to use Annual Leave for purposes of illness unless the employee agrees per MCA 2-18-615.

Employees using sick leave may be asked to furnish a certification of illness from a qualified doctor upon request of their supervisor or the Mayor/Chief Administrative Officer and/or their designee.

At the City of Deer Lodge's request and expense, an employee may be subject to an examination by a physician following a sick leave or other absence occasioned by illness or injury to ensure the employee can complete the necessary functions of the position.

TRANSFER OF SICK LEAVE/SICK LEAVE DONATION

Employees will be permitted to transfer sick leave from one employee to another. The receiving employee must have exhausted all accrued sick leave and annual leave. The contributing employee must make the transfer request in writing and must maintain at least 40 hours of sick leave. The transferred sick leave will not change the receiving employee's employment status.

Hours transferred are on an hour-per-hour basis, not calculated based on donating employees' wages. The transferred sick leave is considered forfeited by the contributing employee. Employees shall not be coerced, intimidated or adversely persuaded to transfer their accrued sick leave to the receiving employee.

LEAVE WITHOUT PAY

Leave without pay (LWOP) may be approved by the immediate supervisor or their designee on a case-by-case basis. LWOP is usually requested when an employee has exhausted all applicable leave balances and has a need to be away from their employment. The immediate supervisor or their designee may require an employee to use all appropriate accrued leave or compensatory time before approving LWOP. However, an employee cannot be required to exhaust annual leave balances for reasons of illness unless the employee agrees per MCA2-18-615.

Depending upon the circumstances, employees still in their probationary period may be allowed to take LWOP. However, if leave is granted, their probationary period may be extended by the amount of time taken during the leave.

Annual and sick leave will not accrue during LWOP.

LWOP is at the sole discretion of the City of Deer Lodge.

NON FMLA RELATED EXTENDED LWOP

As a public employer, the City of Deer Lodge is subject to the Family and Medical Leave Act (FMLA) even if there are no qualifying City employees.

Extended LWOP is considered unpaid leave in excess of two (2) consecutive weeks. Extended LWOP may be granted for any cause as determined by the Chief Administrative Officer or Mayor and/or their designee in their sole discretion so long as it doesn't violate any laws, regulations or policies set forth in this manual. Employees may be granted extended LWOP for a specified time generally not to exceed one hundred eighty (180) calendar days during their employment period. This rule does not apply to American's with Disabilities Act (ADA) regulations, please see section addressing ADA for extended leave guidelines for employees who qualify for protection under the ADA.

Whenever possible, the employee should provide their Supervisor or their designee with at least 30 days' notice, so workloads/tasks can be covered. To request Extended LWOP, employees must provide their supervisor, or their designee the beginning and ending dates of the leave and the reason for the requested leave.

Annual and sick leave cease to accrue during Extended LWOP. Any employee who has one (1) pay period without any hours worked, will lose the employer contribution and lose eligibility for benefits for that month. At that time, coverage will be cancelled, and the employee will be offered COBRA as an option to extend coverage. Should coverage be canceled, the employee may be subject to plan and/or policy restrictions, upon returning to work. Plan documents can be requested from the Clerk Office.

An employee who fails to return to work on his or her regularly scheduled workday after the pre-approved Extended LWOP period may be considered to have voluntarily resigned unless the leave period is extended, in advance, by their supervisor or their designee.

Commented [CM1]: When the benefits are cut off is up to the city to decide. This is a suggestion from MMIA as they have seen this threshold in other policies. Let us know what you decide.

HOLIDAYS

The City of Deer Lodge will observe the same holidays as recognized by the State of Montana. These policies apply to an employee who is required by management to work on an OBSERVED holiday.

- January 1 – New Year’s Day
- Third Monday in January – Martin Luther King Day
- Third Monday in February – President’s Day
- Last Monday in May – Memorial Day
- July 4th – Independence Day
- First Monday in September – Labor Day
- Second Monday in October – Columbus Day
- First Tuesday in November during Congressional/Gubernatorial Election Years – State General Election Day
- November 11th – Veterans’ Day
- Fourth Thursday in November – Thanksgiving Day
- December 25th – Christmas Day

If a holiday falls on a Saturday, the Friday preceding is observed as a holiday. If a holiday falls on a Sunday, the following Monday is observed as the holiday.

Holidays -- observance when falling on employee's day off

- A full-time employee who is scheduled for a day off on a day that is observed as a legal holiday, except Sundays, is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday in the same pay period or as scheduled by the employee and the employee's supervisor, whichever allows a day off in addition to the employee's regularly scheduled days off, provided the employee is in a pay status on the employee's last regularly scheduled working day immediately before the holiday or on the employee's first regularly scheduled working day immediately after the holiday.
- Part-time employees receive pay for the holiday on a prorated basis according to rules adopted by the department of administration or appropriate administrative officer under 2-18-604.
- A short-term worker may not receive holiday pay.

Eligibility

To be eligible for holiday benefits, an employee must be in a paid status the last regularly scheduled working day before the holiday and the first regularly scheduled working day following the holiday. If, however, the observed holiday falls on the employee's regularly scheduled day off, the employee must be in a paid status on the last regularly scheduled working day immediately before or the first regularly scheduled working day immediately after the holiday.

Example: Holiday is a Friday. Employees must be in a paid status (work, Sick Leave or Annual Leave) on both Thursday AND Monday to earn the Holiday Pay. If Monday is the employee's normal day off, then they must be in a paid status on Thursday AND Tuesday.

Use of Leave

If one or more regular holidays fall in the period of an employee's annual leave, the annual leave record will not be charged for the holiday.

Work on a Holiday

An employee who is designated as non-exempt and who is required by management to work on a holiday shall receive one and one-half times the regular rate for the hours actually worked on the holiday AND receive holiday benefit hours paid at the regular rate.

Exempt employees required by management to work on a day a holiday is observed shall be granted another day off, within the same pay period.

JURY DUTY LEAVE

Any regular full-time or regular part-time employee who is required to serve on a jury shall be allowed authorized leave with pay. This may also include when an employee is subpoenaed as a witness or required to appear before a court or legislative committee/quasi-judicial body in response to a subpoena or other directive.

A probationary employee may have his/her probationary period extended by the same amount of time as required for serving on jury duty.

An employee who received notice of jury duty or witness service must notify his/her supervisor immediately in order that arrangements may be made to cover the position. The City of Deer Lodge reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

The employee is responsible for reporting the amount of the issued check for all jury or witness fees to the Clerk/Payroll Specialist. If an employee chooses to be paid for their time away instead of using their leave bank, employee must sign over the check to the City for reimbursement. Reimbursement for mileage and actual expense fees are not required to be forfeited to the City of Deer Lodge. The employee may keep any witness fees or court payment if the services are performed on the days of his/her regularly scheduled days.

Benefits continue to accrue while an employee is on jury duty leave. If excused as a juror on any given day, the employee is expected to contact his or her supervisor and to report to work as instructed.

PUBLIC OFFICE LEAVE

Employees elected or appointed to a public office shall be granted an unpaid leave of absence, not to exceed 180 days per year while performing the public service. Employees will be restored to their positions, with the same seniority, status, compensation, hours, locality, and benefits as existed prior to their leaves of absence for public service. Employees must return to work within 10 days following the completion of the service unless they are unable to return due to an illness that has been certified by a medical doctor. The City of Deer Lodge will comply with all relevant restrictions and guidelines provided within the Hatch Act, (5 U.S.C. 7321 through 7326, as amended).

MILITARY LEAVE

The City of Deer Lodge shall comply with all provisions outlined in the uniformed services Employment and Reemployment Rights Act, (USERRA, 38 USC Sec. 4031 et seq) as well as all relevant state laws (to include MCA 10-1-1009) covering members of the Montana Army and Air National Guard.

An employee who is a member of the Montana National Guard or any United States military force or Reserve Corps and who has been an employee for a period of six months shall be given leave of absence with pay for a period of time not to exceed 120 hours in a calendar year.

Unused leave may roll to the next calendar year, not to exceed 240 hours total for the calendar year. Any excess leave, beyond 240 hours, will be forfeited. Military Leave can be for attending regular encampments, training classes, and similar training programs of the military forces of the United States.

Employees employed less than six months are entitled to unpaid leave for the purposes listed above. Employees using Military Leave must report it as such on their timesheets and have prior approval for leave. This leave will not be charged against the employee's annual leave.

MATERNITY LEAVE

Pregnant employees will be granted a reasonable unpaid leave of absence for such pregnancy. Such leave should be requested as soon as possible. An employee disabled as a result of pregnancy may be asked to produce medical certification verifying that she is not able to perform her employment duties. An employee disabled as a result of pregnancy will not be denied any compensation to which she is entitled as a result of the accumulation of disability or leave benefits.

Upon signifying her intent to return to work at the end of her leave of absence, an employee on pregnancy leave will be reinstated to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, and fringe benefits unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

NURSING MOTHER ACCOMMODATIONS

The City shall provide a reasonable break time for an employee to nurse or to express breast milk for her nursing child for one (1) year after the child's birth each time such employee has need to nurse or express the milk. The City shall also provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to nurse or express breast milk.

The selection of the space will be made on a case-by-case basis in consultation with the employee. Standard break times will be primarily utilized with additional unpaid break time provided as mutually agreed upon. Additionally, the City of Deer Lodge will make every effort to provide suitable facilities for milk storage during the employee's daily work period. All requirements listed in MCA 39-2-215, 39-2-216, 39-2-217 will be complied with.

GENERAL WORK RULES

PROFESSIONAL COMMUNICATION IN THE WORKPLACE

The City of Deer Lodge is responsible for providing a safe and secure workplace and strives to ensure that all individuals associated with us are treated in a respectful and fair manner. We expect everyone to act in a mature and responsible way at all times.

Though it is not possible to list all forms of behavior that are considered acceptable or unacceptable in the workplace, the following are examples of behavior that all of us are responsible for maintaining when communicating in any professional capacity:

- Actively listening, without interrupting or ignoring the speaker who has the floor
- Maintaining a relationship of trust, respect and professionalism with everyone
- Accepting staff members, city council members and city officials for who they are, while forgiving past problems/issues
- Building open and honest relationships by using direct and respectful communication
- Promptly addressing issues/problems/concerns directly with the Chief Administrative Officer.
- Refraining from complaining, blaming, gossiping, or engaging in public reprimands *while* reminding others who are engaging in these behaviors that it is inappropriate
- Abstaining from criticism on matters unrelated or minimally related to the person's job performance or description

Furthermore, the following are examples of behaviors that are not appropriate for a professional setting:

- Taking responsibility for another person's ideas
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings
- Manipulating the ability of someone to do his or her work or deliberately interfering with day-to-day City Hall processes that hired staff are responsible for maintaining
- Encouraging others to participate in any of the behaviors listed above

These lists are not intended to be exhaustive so please reach out to the Chief Administrative Officer with any clarifying questions you may have. During your employment with The City, the Mayor or his/her designee will let you know individually if your conduct is inappropriate in any way so that you understand what is expected of you.

GUIDELINES FOR APPROPRIATE CONDUCT

Employees are expected to follow the City of Deer Lodge policies and rules and to respect the rights, property, and privacy of co-workers, families and members of the public. The following statements should help you understand some of the requirements associated with your employment with the City of Deer Lodge:

- To carefully read the Personnel Policies in order to thoroughly understand your rights, obligations, responsibilities and benefits of your employment with the City of Deer Lodge
- To conscientiously work toward achieving the objectives of the City of Deer Lodge in accordance with the philosophy and policies and in compliance with the procedures established by these and other the City of Deer Lodge policies and procedures.
- To perform assigned duties at a high level of quality, accuracy, neatness, effectiveness, and integrity.
- To work cooperatively with other staff members in a sincere, tactful, and positive manner.
- To respect the views and actions of fellow staff members and, when in disagreement, to use appropriate channels to express opinion or judgment on these matters, gain clarification of the City of Deer Lodge policy, or your job roles, and in the resolution of grievances.
- To plan and carry out assigned duties in a manner which will achieve effective and productive use of time.
- To attend and be punctual at all required staff meetings, training sessions, and other scheduled the City of Deer Lodge activities.
- To respect the privacy and to keep and hold confidential all information in accordance with the City of Deer Lodge policy. This includes not only information regarding those people served but also fellow employees.
- To be responsive to the guidance, directions, and instructions of immediate supervisor.
- To engage in the approved process for resolving grievances filed by parents or community persons.
- To distinguish clearly, in public, between statements and actions made as an individual and those made as a representative of the City of Deer Lodge.
- To avoid fighting with, being physically abusive or behaving in a manner that is or might be offensive to others or conduct yourself in a manner contrary to recognized standards of morality or decency. Spreading rumors about co-workers or citizens or voicing criticism or complaints in front of citizens or families or in public areas is considered inappropriate.
- To not destroy, deface, misuse, damage, misappropriate or wrongfully acquire property, funds or assets belonging to the City of Deer Lodge or its employees.
- To not use the City of Deer Lodge-owned computers or other equipment for personal gain or entertainment such as photocopying personal items, downloading, or installing games or other non-business software on our computers, or access web sites unrelated to the performance of your assigned job duties.
- To not be under the influence of or possess any intoxicant, controlled substance, or drug (except as prescribed by a licensed physician) during working hours and/or on the City of Deer Lodge property. Tests to determine drug and alcohol use will be utilized only where permitted by law and will conform to the standards of 49 CFR part 40.
- To not falsify employment, accounting or other City of Deer Lodge records.

CONFLICT OF INTEREST AND NON-DISCLOSURE

The protection of confidential information is vital to the interests and success of the City of Deer Lodge and its residents. Such confidential information includes, but is not limited to, the following examples:

- Confidential criminal justice information
- Confidential employee information
- Confidential/sealed court files
- Attorney work product
- Personal medical information

If an employee has access to confidential information, they may be required to sign a non-disclosure agreement as a condition of their employment. Improper use or disclosure of confidential information may result in disciplinary action, up to and including termination of employment and legal action, even if the violator of this policy does not actually benefit from the disclosed information.

Employees are expected to devote their best efforts and attention to the performance of their jobs unless otherwise authorized or permitted by law. A conflict of interest exists when the employee's loyalties or actions are divided between the City of Deer Lodge and those of another, such as a customer, supplier or competitor. Employees unsure as to whether a certain transaction, activity or relationship constitutes a conflict of interest should discuss it with the Chief Administrative Officer or the Mayor.

PERFORMANCE APPRAISAL

The City may periodically conduct formal performance appraisals of employees.

Where conducted, the primary purpose of an employee performance appraisal system is to provide the opportunity for the employee and the supervisor to discuss the employee's job performance during the preceding evaluation period and to communicate job goals and objectives. Performance evaluations may be used to assist in decisions affecting promotions, demotions, dismissals, layoffs, re-employment, salary increases and training. Completed appraisal forms shall kept in the employee file.

A special evaluation maybe completed at any time it is deemed appropriate by the supervisor.

If the employee disagrees with an appraisal, the employee has the right to submit, within ten (10) working days of receipt of the appraisal, a written rebuttal to his/her supervisor with a copy to the Mayor, which will be attached to and filed with the appraisal document. Employees may not grieve appraisals unless the information is used to support an adverse action affecting the employee.

PERSONNEL FILES

The Chief Administrative Officer is responsible for establishing and maintaining an official personnel file for each City employee. Unless a Department has been authorized to maintain personnel records locally, all personnel files shall be maintained by the Chief Administrative Office. All employee personnel records are confidential, and access is restricted. An employee's title, dates and duration of employment and salary is, however, considered public information and may be released to any person upon request.

Access to the files is limited to the employee and others whose assigned job responsibilities require access to the record as identified below. Access will only be allowed to other individuals where merits of public disclosure override the individual's right to privacy.

Supervisors are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department. No personnel records should exist in a Department unless the original is included in the official personnel record.

Personnel files are the property of the City of Deer Lodge. No materials in a personnel file may be removed from the office they are kept in. The following procedures apply to the release and accessibility of information contained in employee personnel files:

1. Personnel must treat all employee information as confidential except for requests authorized by the employee or requests to learn or to verify information relating to job title, department, salary, and dates of employment

2. Access to information contained in the personnel file will be limited to:

- a. The Mayor,
- b. The Chief Administrative Officer and/or consultants,
- c. The employee's supervisor and others in a direct line of authority over the supervisor,
- d. The individual employee and representatives authorized by the employee to have access,
- e. State or City auditors,
- f. Other City employees whose jobs require access to information contained in the file such as payroll clerks or benefits administrators.

3. Files pertaining to employees who are bona fide candidates of interdepartmental transfer or termination may be reviewed by the prospective City supervisor to whom they applied.

4. The City reserves the right to withhold those portions of personnel files that may affect the confidentiality of third parties such as reference check materials provided by previous employers, investigatory reports, etc. unless disclosure is required by law.

CONFIDENTIALITY

Maintaining confidentiality of employee and citizen information is of utmost importance to the City of Deer Lodge. Employee and citizen information shall only be shared with those who have a legitimate job-related need to know. Sharing information with co-workers not involved in the matter, spouse, family or friends is a violation of confidentiality. Releases of confidential information can also result in civil or criminal liability or other legal action. Reporters, attorneys or law enforcement officers requesting information about an employee or citizen should be referred to a supervisor, or Chief Administrative Officer.

ATTENDANCE

It is extremely important that all employees be at their workstation and ready to begin work at the start of their shift. Absenteeism and tardiness place a burden on other employees as well as the City. If an

employee is unable to report to work on time and as scheduled due to illness or other emergencies, they are expected to personally notify their supervisor as soon as possible in advance of the anticipated tardiness or absence or within one half hour past their scheduled start time. If an employee is unable to report due to an emergency, they should have another person call for them. The City of Deer Lodge has the right to require appropriate verification or proof before approving absences, which were not pre-approved.

When absent for more than one day, an employee must keep their supervisor informed on a daily basis (unless they have been otherwise instructed) as to when they may be expected to return to work. Failure to report for work or call to notify of an absence for more than five (5) working days is considered as an abandonment or resignation from employment.

If an employee finds that he/she wishes or needs to be absent during working hours, the employee must request and receive permission from the Chief Administrative Officer to be absent. Requesting time off at least two weeks in advance will increase the chance of that request being approved. That being said, the Chief Administrative Officer will ultimately determine when will be the most suitable time for you to be absent from your work and if any conflicts arise in requests for time off, preference will be given to the employee with the earliest request.

If the employee is absent without approval, it may be considered to be a voluntary resignation of employment with the City of Deer Lodge.

BUSINESS RELATED TRAVEL

The City of Deer Lodge will reimburse an employee for expenses incurred in the course of his/her employment when he/she is on assignment away from the normal work location. The employee will be reimbursed for the cost of mileage, travel, lodging, or other expenses directly related to accomplishing the assignment. Refer to the City of Deer Lodge Accounting and Financial Procedures policy for reimbursement policy and procedures. Employees are expected to limit expenses to reasonable amounts. Mileage, lodging and other expenses will be reimbursed according to a schedule adopted from time to time by the City of Deer Lodge

Management must approve all business travel in advance. Receipts showing name(s), date(s), travel purpose, and requested reimbursement amount(s) must accompany travel and/or business expenses submitted for reimbursement.

TRAINING

As soon as you begin employment, you will be scheduled to report for a new employee orientation that will cover the City of Deer Lodge and department policies and the work methods and safety precautions related to doing your job properly and safely or that may be required by federal, state or the City of Deer Lodge law, rule, regulation or policy.

Your training may also include on-going on-the-job and/or in-service training to introduce you to new work techniques, safety procedures, and other important information.

SOLICITATIONS

You may not distribute or post literature, notices or other printed material which are not directly related to the City of Deer Lodge programs at any time in working areas or on the City of Deer Lodge provided

bulletin boards that have been reserved for the posting of official notices unless the notice, poster, or material has been approved in advance by the Chief Administrative Officer. Non-employees may not solicit for any purpose nor engage in distribution of any kind at the City of Deer Lodge, unless approved in advance by the Chief Administrative Officer.

OUTSIDE EMPLOYMENT

The City of Deer Lodge recognizes you may desire to use your skills and knowledge to supplement your income by accepting employment with another employer outside of regular working hours. However, such desires must be balanced against our need for full productivity during working hours and loyalty from our employees. We expect you to be aware of this commitment to the City of Deer Lodge and not to accept any employment that is in conflict or competition with our mission, goals or operations. You may be identified by family members or members of the public as the City of Deer Lodge employee even during off-duty hours, and any improper conduct you engage in reflects upon the City of Deer Lodge's reputation.

Outside employment will not be considered an acceptable reason for poor job performance, absenteeism, tardiness or refusal to work overtime as business demands may require. If outside employment interferes with an employee's work for the City of Deer Lodge, or a conflict does in fact exist, the employee must make a decision as to where they desire to work. If an employee has a question about any potential conflict, they should contact the Chief Administrative Officer for clarification.

GIFTS AND GRATUITIES

Employees are prohibited from receiving or giving any gift, gratuity, or payment for services rendered beyond the wage or salary paid by the City of Deer Lodge, not to exceed \$50.00 annually. No employee of the City of Deer Lodge, or members of his/her immediate family, may give or accept any case, gifts, special accommodations or discounts, favors, or use of property or facilities to or from anyone with whom the City of Deer Lodge does business or is negotiating business on behalf of the City of Deer Lodge that exceed the \$50.00 annual limitation. Gifts bearing a supplier logo, which are distributed generally and cost no more than \$5.00, may be excluded from the \$50.00 annual limitation. Unsolicited gifts of a nominal value given by co-workers to employees in recognition of birthdays, anniversaries or other special events are not prohibited by this policy.

CITY PROPERTY

We provide offices, desks, computers and other property and equipment for your use while employed by the Agency. The City of Deer Lodge reserves the right to open and inspect any office, desk, computer, file cabinet or other property at any time, with or without reason, notice or consent.

Messages stored on the City of Deer Lodge's electronic equipment (voice mail, e-mail, computer files, etc.) are subject to inspection regardless of the use of a personal password. The City of Deer Lodge reserves the right to access any electronic file when necessary.

You are not permitted to use City of Deer Lodge property for personal reasons, unless otherwise indicated in this policy. This includes but is not limited to City of Deer Lodge vehicles, computers, equipment, tools, facilities, and resources. This restriction applies both while at work and during non-

work hours. If you are concerned that a particular use of City of Deer Lodge property may violate this policy, consult with your supervisor as to whether such use is allowed.

COMPUTER USAGE

You may only use City of Deer Lodge IT resources, such as computers and facilities, to carry out your official duties, with some exceptions as listed below. If you deviate from these standards, you may be subject to penalties as prescribed by your supervisor. You are personally responsible for your conduct and behavior in the use of assigned resources.

We realize you may from time to time need to use City of Deer Lodge IT resources for personal reasons. Accepted personal use includes but is not limited to using e-mail for essential personal communication such as messages to family members, significant others, teachers, doctors, and day-care providers to communicate work schedule changes, status, or other personal business. Acceptable Internet usage includes personal information gathering, as long as it does not interfere with your productivity or preempt any business activities. There is no expectation of privacy while using City of Deer Lodge IT resources. All activity can be logged, monitored, and reviewed.

You may not attempt to gain access to, disclose, or remove any user ID, information, software, or file that is not your own and for which you have not received explicit authorization to access.

You may not interfere with, encroach on, or disrupt others' use of City of Deer Lodge IT resources. This includes playing computer games; streaming non-work-related video; sending excessive messages; attempting to crash or tie up City of Deer Lodge computers; or damaging computer facilities, equipment, software, or computer files. IT resources cannot be used for commercial or political purposes.

City of Deer Lodge emails may only be used for conducting official business. Email is considered public record and you should have no expectations of privacy when using your City of Deer Lodge email. You may not use your City of Deer Lodge email to circulate chainmail, spam, or inappropriate materials.

TELEPHONE USAGE

We realize you may from time to time need to make or receive personal phone calls while at work. Please keep personal calls (including personal cell phones) to a about three (3) minutes to keep phone lines available for business use and to avoid loss of work time. If a personal call results in charges from our telephone service provider, you must make arrangements to reimburse the City of Deer Lodge.

CITY VEHICLE USAGE

The City of Deer Lodge owns and leases motor vehicles for the purposes of conducting official business. The City of Deer Lodge requires all employees to comply with the policies set forth in this handbook governing the use and management of motor vehicles. Only drivers authorized to operate motor vehicles for official business are allowed to operate a City of Deer Lodge vehicle, unless otherwise authorized in writing by your supervisor. Supervisors are responsible for monitoring employee vehicle use and taking appropriate disciplinary action for noted violations. Employees who violate this policy, statute, or administrative rules are subject to disciplinary action up to and including discharge.

Authorized drivers of City of Deer Lodge vehicles include:

- City of Deer Lodge employees conducting business on behalf of the City of Deer Lodge;
- Authorized passengers relieving drivers due to illness, fatigue, or other physical or mental incapacity;
- Aides for disabled employees subject to the prior written approval of the Chief Administrative Officer or Mayor; and
- Independent contractors or temporary employment agency employees contracting with the City of Deer Lodge when a City employee is not available and subject to the prior written approval of the Chief Administrative Officer or Mayor.

Authorized passengers of City of Deer Lodge vehicles include:

- City of Deer Lodge employees, independent contractors, guests, or clients while conducting business on behalf of the City of Deer Lodge;
- Aides to employees with a disability with prior written approval of the Chief Administrative Officer or Mayor; and
- Persons rendering or in need of assistance during a medical or other life-threatening emergency.

Authorized daily vehicle operation includes:

- Parking a vehicle overnight at the home of a City of Deer Lodge employee in order to begin travel the next day;
- Obtaining food, necessities, and lodging while in travel status;
- Police Officers are allowed to maintain vehicles at their residence and respond when 911 dispatch has requested their assistance for any reason;
- Responding to medical or other life-threatening emergencies; and
- Conducting after-hours personal business, recreation, or leisure within a 30-mile radius of the City of Deer Lodge employee's lodging when required to stay overnight at a location other than the established work location.

Requirements regarding use of personal vehicles on behalf of the City of Deer Lodge:

- Employees that if you require a vehicle you must use a City of Deer Lodge-owned or leased vehicle unless circumstances justify the use of your personal vehicle and prior written approval is obtained from your supervisor;
- Employees You are not required to use personal vehicles for City of Deer Lodge business;
- If a City of Deer Lodge-owned or leased vehicle is not available, reimbursement for personal vehicle use will be at the highest current rate determined by 2-18-502, MCA; and
- If a City of Deer Lodge-owned or leased vehicle is available and/or you requests to conduct personal business while in travel status, reimbursement for personal vehicle use will be at the lowest current rate determined by 2-18-502, MCA;

Prohibited Vehicle Use:

The following are prohibited while using a City of Deer Lodge-owned or leased vehicle:

- Transporting unauthorized passengers;
- Personal business use, e.g., shopping, medical appointments, and recreation when the employee is not in travel status. Travel status is defined as a work-related trip as approved by your direct supervisor;

- Operating a vehicle within 8 hours of consuming or while under the influence of alcohol, illegal drugs, marijuana, or prescription drugs that affect your ability to operate a vehicle safely;
- Carrying or consuming an alcoholic beverage; and
- Smoking, in compliance with 50-40-104, MCA, Montana Clean Indoor Act.

Agreements and Requirements:

- All City of Deer Lodge employees possessing out of state driver's licenses must transfer or renew their driver's license in Montana within 60 consecutive days of residency.
- You Employees must use seat belts at all times and lock the vehicle when left parked.
- You Employees may not use cellular phones or other mobile electronic devices for texting while driving. You are strongly encourage not to use cellular phones or other mobile electronic devices for calling while the vehicle is in motion.
- Employees when you have an accident while conducting state business resulting in injury or death of any person or property damage you shall immediately give notice of the accident to the appropriate law enforcement entity in accordance with 61-7-108, MCA.
- An employee who is involved in a vehicle accident or becomes aware of damage or vandalism to a City of Deer Lodge-owned or leased vehicle you must alert your supervisor within 24 hours.
- Vehicle operators must ensure that City of Deer Lodge-owned or leased vehicles are clean, mechanically maintained at all times, and not operated with any defect or problem that would prevent safe operations.
- The City of Deer Lodge utilizes maintenance intervals consistent with manufacturer's recommendations. Preventative maintenance is performed on vehicles at regular intervals based upon manufacturer's recommended standards and vehicle driving conditions.
- City of Deer Lodge-owned or leased vehicle repairs, maintenance and vehicle-related purchases that are atypical must be pre-approved by obtaining permission from your supervisor. Emergency repair is permissible if a City of Deer Lodge-owned or leased vehicle breaks down after normal business hours, immediate vehicle use is necessary, and a reasonable alternative is not available. In this case, your supervisor must be notified of the repair and cost the next business day.
- Fuel transactions will be reviewed on a random basis to determine appropriateness of transactions in comparison to your work hours, locations, duties, and normal expenses. Criteria may include date and time of the transaction, number of transactions per vehicle and/or employee, merchant and/or location information, and odometer readings.

ADHERENCE TO GOVERNMENTAL AND ACCREDITATION REQUIREMENTS

In addition to following these personnel policies, all employees must comply with all applicable local, state, federal and/or national laws, rules, regulations or professional standards that relate to accreditation, program operation, receipt of governmental funds or otherwise relate to the performance of their assigned job duties.

DRUG FREE WORKPLACE

In 1988 Congress passed a variety of anti-drug legislation which included the Drug-Free Workplace Act (DFWPA). This Act requires that agencies and individuals, who receive Federal aid or who contract with the Federal government, adopt specific policies regarding the illegal possession and use of controlled substances. To comply with this Act, the City of Deer Lodge has adopted the following policy.

All City employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing or using controlled substances in the workplace. "Controlled substances" are defined in schedules I through V of Section 812 Title 21, United States Code. Examples of controlled substances include illegal narcotics, cannabis, stimulants, depressants and hallucinogens.

The City may also require employees who violate this policy to satisfactorily participate in a drug-abuse assistance or rehabilitation program as a condition of continued employment.

Any employee convicted of violating a criminal drug statute in the workplace or while conducting official City business must inform the Chief Administrative Officer of such conviction within five (5) days after the conviction.

SMOKE-FREEWORKPLACE

In compliance with the Montana Clean Indoor Air Act, the City of Deer Lodge offices, City-owned vehicles and all City buildings and other enclosed spaces are non-smoking sites. Employees wishing to use lawful tobacco products may do so on regularly scheduled breaks or lunches only, and only in locations specifically designated as smoking areas. Employees will not be provided additional breaks to smoke outdoors.

Additionally, smoking within twenty feet of a doorway, window or air intake is prohibited unless otherwise authorized by the Mayor or Chief Administrative Officer.

HEALTH REQUIREMENTS

The State of Montana mandates that certain types of work can only be performed by individuals who have been certified free of tuberculosis. If you work in a covered position you will be informed and be required to either have a tuberculosis screening test within 30 days from the date of your employment or provide evidence from a physician that you are tuberculosis free.

You may also be required to obtain a First Aid and Cardiopulmonary Resuscitation (CPR) certification before the end of your probationary period and keep the certification current throughout your employment.

DRIVER'S LICENSE AND DRIVING RECORD

If your job requires operation of a motor vehicle, you must maintain a valid driver's license and a driving record acceptable to our insurer. Any changes in your driving record or status must be reported immediately. Employees whose job requires a Commercial Driver's License (CDL) are subject to additional federal and/or state established license requirements and must meet the standards established as a condition of holding the CDL.

SMOKING

In compliance with the Montana Clean Indoor Air Act, City of Deer Lodge offices, City-owned vehicles and all City buildings and other enclosed spaces are non-smoking sites. Employees wishing to use lawful tobacco products may do so on regularly scheduled breaks or lunches only. Employees will not be provided additional breaks to smoke outdoors unless approved by the Mayor or Chief Administrative Officer.

DRESS, APPEARANCE AND PERSONAL HYGIENE

Your personal appearance and hygiene affect citizen and co-worker relations. It can create favorable or an unfavorable impression of you and the City of Deer Lodge employees are expected to dress in a manner suitable to job duties assigned to them. Clothing that is excessively soiled, is in need of repair, or that might create a safety hazard is considered inappropriate and is prohibited. Dress, hair style, cosmetics and jewelry which might reasonably be considered by families, co-workers or members of the public to be extreme, offensive, not in good taste, revealing or distracting are inappropriate and unacceptable. ~~Jeans are allowed, but~~ allowed but must be kept clean and free of holes and patches.

~~Because dressing appropriately sets a tone for the professional environment of the City of Deer Lodge, employees are required to adhere to the following dress code:~~

- ~~• No sweatshirts, t-shirts or shorts*~~
- ~~• No name-branded wear~~
- ~~• No flipflops or Birkenstock-style sandals~~
- ~~• Jeans are only allowed no Fridays and must be clean and well-kept~~
- ~~• Sleeveless shirts must be accompanied by a jacket or sweater~~

~~* Employees who regularly work outside are allowed to wear shorts and t-shirts.~~

Any variation of this dress code must be approved by the Chief Administrative Office or Mayor. If you are unsure about the safety or acceptability of your clothing choice, please ask the Chief Administrative Officer for clarification.

CITIZEN COMPLAINT RESOLUTION PROCESS

The purpose of this policy is to provide guidance to the City Council, Mayor, City staff and citizens of Deer Lodge for filing, investigating, and researching complaints. The City of Deer Lodge is committed to maintaining quality of services; professionalism; integrity; teamwork; diversity; empowerment; and improve relationships between City employees, City Council members, the Mayor and the citizens. It is the policy of the City of Deer Lodge to seriously consider matters which are brought to our attention or lodged by citizens. This process provides citizens with the opportunity to report problems, protect individual rights, assure high-quality and consistent service, and ensure improved employee and departmental performance when necessary.

A complainant may at any time file a formal complaint with any City employee. A formal complaint defines, in writing, the names of those involved, identifies witnesses, describes when the event occurred, explains the details of the complaint providing the essential facts and the complainant's

suggested resolution. It is the responsibility of that employee to give the complaint to the Chief Administrative Officer.

The Chief Administrative Officer may conduct an informal investigation of the complaint. He/she may meet with the parties involved, together or separately, to discuss the situation. Where disciplinary action is a possibility, he/she may conduct an investigation in accordance with the city's personnel policies and collective bargaining agreements. The Chief Administrative Officer may make a decision to finalize the complaint and may inform the parties of the decision. Depending on the nature of the complaint, the City of Deer Lodge reserves the right to not investigate.

Although time limits are not required in the Citizen Complaint Resolution Process, all parties are requested to initiate the process promptly and resolve the conflict in a timely and reasonable fashion. Generally, all complaints will be kept on file.

SAFETY

We seek to provide you with a work environment reasonably free from recognized hazards and to comply with applicable federal, state and local health and safety regulations. You should be constantly alert to protect your own safety and health and that of any staff members or members of the public. You are expected to comply with all safety and health requirements whether established by the City of Deer Lodge or by federal, state or local laws. The Safety Committee meets regularly to review matters pertaining to the City of Deer Lodge safety.

All job-related injuries, no matter how minor, must be reported. For injuries or other health-related conditions requiring immediate medical treatment, we will contact the emergency contact individual designated in your personnel file if requested or appropriate.

You are expected to work in a safe manner and observe safe working procedures adopted by the City of Deer Lodge. If the use of safety equipment or procedures has been established for the task you are performing, you will be notified by your supervisor. You are expected to comply with the procedures and to wear or use safety equipment as directed by your supervisor and/or the City of Deer Lodge policies and procedures.

DISCIPLINE HANDLING

Any employee who has been found to:

- have violated generally accepted standards of workplace behavior or other applicable policies or procedures, or;
- have refused to carry out the instructions of a person in a position of authority, or;
- not met our standards of job performance or conduct,

is subject to disciplinary actions up to and including termination of their employment.

When deciding the appropriate actions taken by the City in any situation, the City will consider the seriousness of the offense and the employee's prior employment record. Violations may result in appropriate disciplinary action up to and including termination on the first offense.

In all cases, an employee subject to disciplinary action shall be informed by their supervisor of the alleged violations and employer's evidence and the employee shall be allowed to present his/her side of the story and evidence orally and/or in writing before any disciplinary action is imposed.

If the disciplinary decision is termination, the Department Head shall, at discharge or within seven (7) days of the date of discharge, notify the discharged employee of the existence of the City's ~~"City's~~ "Employee Grievance ~~Procedure" and Procedure" and~~ provide the discharged employee with a copy of the "Procedure".

EMPLOYEE GRIEVANCE PROCEDURE

We encourage you to seek information or advice on any matter that is troubling you, or to call attention to any management action which you believe is inconsistent with these policies or procedures. It is our policy to attempt to resolve job-related problems whenever possible through informal discussions between you and your immediate supervisor.

If you have made an attempt to correct the problem through informal discussions and you believe the problem has not been resolved, you may file a written complaint using the formal procedure described below. If you are a probationary employee, you are not eligible to grieve your termination.

The timeframes established in this procedure may be extended upon written mutual agreement of the parties. The term "day" as used in this policy refers to workdays, Monday through Friday, which are not observed as holidays by the City of Deer Lodge. The grievant carries the burden of moving the grievance forward within the time period specified for that step. The failure of the grievant to include required content, adhere to the time frames specified below or to advance the grievance to the next step of the procedure within the allotted time frame will result in dismissal of the grievance.

FORMAL PROCEDURE

Step One

You must submit your grievance in writing to the Chief Administrative Officer within 10 days of knowledge of the alleged incident. In your complaint, you must describe your complaint including a description of how you believe an established policy, procedure, law or rule was violated and indicate what action(s) you believe the City of Deer Lodge should take to resolve your complaint.

The Chief Administrative Officer will have 10 working days to investigate as may be necessary and respond to the employee's written complaint.

If your grievance is against the Chief Administrative Officer, you must submit your grievance and any supporting materials to the Mayor.

Step Two

If within five days of the date the response was received or was due, you may notify the Mayor in writing of your desire to go to step two of the procedure. You should submit the complaint along with any supporting materials, and a copy of the response, if any, received in Step One to the Mayor. The Mayor or his/her designee may interview those involved in the dispute and may conduct any investigation he/she believes is necessary to render a proper decision.

The Mayor has 30 working days from the receipt of your appeal to issue a decision.

Step Three

If the employee is not satisfied with the Mayor's decision, the employee may appeal an issue involving demotion, unpaid suspension, or discharge to the City Council President within ten (10) days of receipt of the Mayor's decision. Appeals are based on the record created in Step Two of this procedure and take the form of a review of the decision made at step two. The purpose is to ensure the Mayor acted within policy, considered all relevant information and did not abuse their discretion.

The City Council President may within thirty (30) calendar days of the appeal either appoint an ad hoc committee to collect additional information and/or to hear the grievance, or may schedule time at a regular or special meeting of the City Council to hear the complaint and render a decision that is final and binding upon the City of Deer Lodge.

If a complaint is filed by or against the Mayor or if the Mayor's ability to render an impartial decision may be affected, an impartial person may be appointed by the City Council President to carry out the responsibilities normally assigned by this policy to the Mayor.

Commented [CM2]: The CA can also be present if you want more than the Council President at this level of review

TERMINATION OF EMPLOYMENT

Termination of employment includes an employee's resignation, discharge or retirement. A copy of the Employee Grievance Procedure will be furnished to you upon termination. Before you depart, you must return all the City of Deer Lodge-owned property in your possession. Such property might include uniforms, tools, keys, credit cards or the City of Deer Lodge records.

RESIGNATION

If you are a regular employee and decide you wish to voluntarily terminate your employment, we request you provide at least two (2) weeks written notice prior to the effective date of resignation. Generally speaking, we will not approve vacation leave immediately prior to an effective termination date. Your notice of termination will be placed in your personnel file. Failure to give notice required by this policy may result in ineligibility for re-employment.

DISCHARGE

We may find it necessary to terminate you as a result of a reduction in the workforce, misconduct, unsatisfactory job performance, or for other job-related reasons. In the event of termination due to a reduction in the workforce or elimination of the job, you will, except in cases of emergencies, receive advance notice of the termination.

LAYOFFS

If a reduction in the City of Deer Lodge work force becomes necessary, consideration will be given to the programs to be carried out by the City of Deer Lodge. Temporary, seasonal and short-term workers within the classification and department(s) affected by the reduction in force will be terminated before any permanent employees will be laid off.

Reductions in force are categorized as seasonal layoffs or permanent layoffs.

Employees will be chosen for permanent layoff based on consideration of performance, conduct, qualifications, veteran's retention preference eligibility and/or other job-related factors. Only where other factors do not differentiate, will length of continuous service be a deciding factor.

In accordance with 39-29-111 MCA, the City will retain a veteran, disabled veteran, or eligible relative whose performance has not been rated unacceptable over other employees with similar job duties and qualifications and the same length of service. A disabled veteran with a service-connected disability of 30% or more will be retained over other veterans, disabled veterans, and eligible relatives with similar duties, qualifications and length of service.

Individuals who have been permanently laid off from full-time permanent positions shall have a preference for recall to the position they were removed from for a period of ninety days.

Employees classified as "Seasonal" who have been laid off have preference until the next seasonal recall.

If the need for rehiring laid off employees should occur within the applicable recall period, the laid off individual will be sent a written notice at his/her last known address. The individual has five (5) working days to respond to the written notice. If the individual fails to respond or declines the recall, the individual shall have no further recall rights.

Except as may be otherwise provided by law or these policies, if an employee who was permanently laid off is subsequently re-employed by the City of Deer Lodge after the rehire preference period has expired, they lose their original anniversary date and are assigned a new date corresponding to their first day on the job after re-employment.

REHIRES

Except as may be otherwise provided by law, employees who have been terminated or laid off for more than six months and are subsequently re-employed by the City of Deer Lodge will lose their original anniversary date for all purposes and be assigned a new date corresponding to their first day on the job after re-employment. Rehired employees must complete a new probationary period and qualifying periods for benefits in accordance with these policies.

Applications received from former employees will be processed using the same procedures and standards that govern all external applications. The hiring supervisor may consider the former employee's performance records and the circumstances surrounding termination of previous employment with the City of Deer Lodge in the same manner as they would consider other reference check information. This information may be provided to the staff responsible for screening and interviewing applicants.

EMPLOYEE ACKNOWLEDGEMENT

I hereby acknowledge that I have received a copy, and understand it is my responsibility to read and understand the company policies and procedures dated _____. In consideration of my

continued employment, I agree to conform to the policies, procedures, rules and statements of the City of Deer Lodge. I understand that the policies, procedures and statements contained in the employee handbook do not form a contract of employment between me and the City of Deer Lodge. I further understand that the policies, procedures and benefits described herein may be modified by the company at any time.

EMPLOYEE'S SIGNATURE

DATE

APPENDIX 1: STATEMENT OF PROCEDURES AND POLICY REGARDING
ALCOHOL AND CONTROLLED SUBSTANCE USE AND TESTING

City of Deer Lodge will maintain records that are obtained from previous employer for new hires for a minimum of three (3) years from the date of the Covered Employee's first performance of safety-sensitive duties.

A Covered Employee will have access to his or her alcohol or drug testing records upon written request. City of Deer Lodge will release a Covered Employee's records to a prospective employer upon written request of the Covered Employee or individual.

When requested, City of Deer Lodge will disclose post-accident information to the National Transportation Safety Board as part of an accident investigation.

SYSTEM CONTACTS

Any questions regarding this policy or any other aspects of the drug-free and alcohol-free program should contact the following representative (s):

Drug and Alcohol Program Administrator

Name: ~~Brian Bende~~ Jordan Green

Address: 300 Main Street

Phone: 1-406-846-2238 ext. 307

Fax: 1-406-846-3925

National Hot-Line Numbers and Help Lines:

1-800-COCAINE

The American Council on Alcoholism Help Line: 1-800-527-5344

The National Institute on Drug Abuse Hot Line: 1-800-662 HELP

Alcoholics Anonymous: 1-888-707-2000

DEFINITIONS

Accident - an occurrence involving a commercial motor vehicle (CMV) operating on a public road

AND EITHER - Involves a fatality;

OR - moving violation is issued to the CMV driver;

AND EITHER - involves injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident;

OR - one (1) or more motor vehicles incurs disabling damage as a result of the accident requiring the vehicle to be towed away by a tow truck or other vehicle, or if it were driven, it would be damaged more.

(Note: Disabling damage means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs. It does not include damage to tires even if a spare is unavailable, head or taillight, turn signal, horn or windshield damage.)

Jordan Green

From: George Smith
Sent: Monday, August 22, 2022 10:16 AM
To: Cyndi Thompson; Jordan Green
Subject: Finance Committee

Can I get on the Finance Committee to discuss Ron Slauson's raise?

Ron's start date was August 26, 2022. I would like to move Ron to the pay level of a certified officer (from \$20.55/hr. to \$21.55/hr.) He has excelled through his training and has the time to be certified. Due to no fault of his own Ron has not been able to attend the academy yet. He has received two on the job injuries that have prevented him from attending. He is now recovered and will attend the January class. Ron has exceeded the expectations of a new officer. He is now certified to teach less lethal weapons use and also defensive tactics. Ron donates 1.5 to 2 hours a week working with local law enforcement officers on defensive tactics. Ron works the night shift often alone and I am confident in his abilities to handle any and all situations that arise.

Chief George Smith
City of Deer Lodge Police Department
300 Main St
Deer Lodge, Mt 59722
Phone 406-846-9585
Fax 406-846-2500

Cc: Cody Marxer <cmarxer@greatwesteng.com>
Subject: RE: City of Deer Lodge Growth Policy Proposal

Good Morning Jordan,

My apologies for the delay in responding, I was out of cell and internet service for 12 days. My answers to your questions are below in Bold/underline just below each question.

Let me know if you have any other questions.

Sincerely,

Jerry

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Tuesday, September 20, 2022 11:11 AM
To: Jerry Grebenc <jgrebenc@greatwesteng.com>
Subject: City of Deer Lodge Growth Policy Proposal

GREAT WEST

Good morning Jerry,

The City received your proposal for the Growth Policy. The Planning Board began reviewing the proposals yesterday and had a few questions for several of the firms before they make a decision.

1. We have some concerns about the 6-month timeframe you supplied for the project. Do you feel as though 6 months will allow for adequate public engagement and time to compile information and create the document?
 - **My apologies, the timeline format our marketing folks used in the proposal is confusing and actually includes up to 9 months to complete the project. The timeline should have had shown the months at the beginning and end of the timeline i.e. November and July.**
2. What role does GIS play in your data gathering/data interpretation methodology? Will the City have access to any GIS data generated in the creation of this Growth Policy after it is completed?
 - **Any GIS data generated through the process is completely the property of the City and will be provided to the City at any point and time. With regards to the data gathering and spatial analysis, much of the data already exists, particularly via the Montana Cadastral data for land use and Census data for demographic and economic data. Ultimately any GIS analysis and mapping should be driven by the questions the City and the Board would like answered and what information they would like presented in the updated Growth Policy.**
3. Do you feel as though the City's budget of \$40,000 will be adequate to cover your workload? This is important to the planning board as we received several proposals with estimated budgets and several without.
 - **To be completely honest, this is one of the reasons we always recommend holding a kickoff meeting with all the stakeholders before any contracts and any final scopes of work are signed for a project. I cannot assure you that you and the Planning Board will receive the product you want within the \$40,000 budget without sitting down and have an honest conversation about how much work and responsibilities the City and Planning Board are willing to take on. In the past we have often agreed to complete a project for a set budget and it has turned out that either the budget was inadequate or the client could have helped offset any short falls. I completely understand if an absolute assurance the project can be completed solely by Great West for \$40k is a deal breaker for the Board but we would rather be honest with you and the Board. Thus we would recommend no matter who you hire you hold a kickoff meeting before signing a contract.**

Thank you, and please let me know if you need any clarification.
Best,

Jordan Green

From: kate@appcom.net
Sent: Tuesday, September 20, 2022 4:05 PM
To: Jordan Green
Cc: 'Rachel Shouse'
Subject: RE: Growth Policy RFP

**APPLIED
COMMUNICATIONS**

Hi,

Thank you for the update on the review process. In response to the questions:

1. Yes – The deliverables at the completion of the process will include all the GIS shape files, data and PDFs of all maps.
2. As noted in our proposal - The City's budget of \$40,000 is adequate to cover the workload as described in our proposal. The budget does provide for all travel, printing and meeting expenses.
- 3.

Let me know if you have additional questions. We look forward to the opportunity to work with the City.

From: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Sent: Tuesday, September 20, 2022 11:08 AM
To: kate@appcom.net
Cc: 'Rachel Shouse' <rachel@mtaccessproject.com>
Subject: RE: Growth Policy RFP

Good morning Kate,

The City received your proposal for the Growth Policy. The Planning Board began reviewing the proposals yesterday and had a few questions for several of the firms before they make a decision.

1. Will the City have access to any GIS data generated in the creation of this Growth Policy after it is completed?
2. Do you feel as though the City's budget of \$40,000 will be adequate to cover your workload? This is important to the planning board as we received several proposals with estimated budgets and several without. We are limited with our funding capabilities, and we would want to be aware of any potential change orders or increases to the estimated budget you provided.

Thank you, and please let me know if you need any clarification.

Best,

Jordan Green, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main St.
Deer Lodge, MT 59722
Phone: (406) 594-1896

From: kate@appcom.net <kate@appcom.net>
Sent: Friday, September 9, 2022 10:32 AM
To: Jordan Green <jgreen@cityofdeerlodgemt.gov>
Cc: 'Rachel Shouse' <rachel@mtaccessproject.com>
Subject: RE: Growth Policy RFP

Hi,

Jordan Green

From: Jamie Erbacher <jerbacher@wgmgroup.com>
Sent: Tuesday, September 20, 2022 3:18 PM
To: Jordan Green
Subject: RE: City of Deer Lodge Growth Policy Proposal Questions

WGM
GROUP

Hi Jordan,

Thank you for the email. We have provided our responses below, please let me know if you need any additional information.

1. Will you be preparing a project website or another tool for online surveying that can be shared with the general public for input?
 - a. We plan to utilize Survey Monkey to develop and distribute surveys. We can generate an online link that can be shared on the City of Deer Lodge's Community Planning page of the website, and the City of Deer Lodge Facebook page, other social media, or e-mail lists. We will also create a project email address for the public to provide any comments directly to our staff. All survey results and comments will be available to the public and then included in the final Growth Policy update. We used this methodology recently for the Plains and Troy Planning Reports, and it proved to be an efficient way to reach a wide audience and collect comments, while staying within the budget.
2. What role does GIS play in your data gathering/data interpretation methodology? Will the City have access to any GIS data generated in the creation of this Growth Policy after it is completed?
 - a. We plan to build upon the GIS data that already exists to generate the land use map. The land use map and GIS data will be provided to the City. We do have capabilities to provide additional GIS data collection and mapping, for example, infrastructure mapping of sewer, water, and roadways that would benefit the City for this update, as well as be used for future planning and projects.
3. Do you feel as though the City's budget of \$40,000 will be adequate to cover your workload? This is important to the planning board as we received several proposals with estimated budgets and several without.
 - a. The strategy / work plan we provided with our proposal is within the \$40,000 budget. We do have the capability to provide additional items that could add value to the process and outcome. If items such as additional in-person meetings with stakeholders, steering committee members, or the general public, existing conditions GIS data collection and mapping, a project-specific website, or implementation meetings/workshops with City staff are desired by the Planning Board or City Council additional funding would be necessary. Our goal is to collaborate with the City of Deer Lodge and ensure that this is an implementable document, if additional services are desired, we are open to exploring options with you.

Thank you,

Jamie