



COUNCIL AGENDA

December 5, 2022 - 6 PM

The City Council will hold the meeting at the PC Community Center, 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. None

4. Approval of Minutes

- a. Regular Meeting: November 21, 2022

5. Committee Reports – *Approved as presented*

- a. City Council Operations – Rob Kersch
- b. Finance Committee – Dick Bauman
- c. Economic Growth & Development – John Henderson
- d. Public Health & Safety – Joseph Callahan
- f. Public Works – John Henderson

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 – John Henderson

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 | November Claims – Stanley Glovan. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.

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

- Economic Growth & Dev – December 7th at 4 PM
- Finance – December 5th at 4PM
- Public Health & Safety – December 14th at 5 PM
- City Council Operations – December 12th at 5 PM
- Planning Board – December 19th at 10AM
- Council #2 – December 19th at 6 PM
- Public Works – December 27th 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, December 19, 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**

CITY COUNCIL MINUTES

The City Council met on November 21, 2022, at 6 PM | PC Community Center

Members Present:	John Henderson, John Molendyke, Gordon Pierson, Jackie Greenwood, Dick Bauman, Rob Kersch, Curt Fjelstad
Members Absent:	Joseph Callahan
Mayor:	James Jess
CAO:	Jordan Green
Staff:	Trent Freeman, Peter Elverum, Stan Glovan, Kody Ryan, Sean Herrick
Consultants	None
Guests:	See sign in sheet

1. Call Meeting to Order | Pledge of Allegiance.

Mayor Jess called the meeting to order at 6 PM. All present recited the Pledge of Allegiance.

2. Public Comment - Members of the audience may comment on any non-agenda. State Statute prohibits the City Council from discussing any introduced item. 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.

- a. Kirk Hayes updated council on the building he is remodeling. He got the paperwork for final repairs. Looking for different funding avenue. Not happy with the amount of money he needs to recoup.

3. Approval of Minutes

- a. Regular Meeting: November 7, 2022

Council President Bauman motioned to approve minutes as presented. Member Pierson seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

4. Public Hearing.

- a. None

5. Department Reports: Composed Reports are in the packets. **Reports accepted as presented.**

- a. CAO | b. Public Works | c. Police | d. Fire | e. Recreation Report

- 6. Mayor & 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.
- a. Member Greenwood: Peoples Bank needs handicap spot.
 - b. Member Pierson: Good to see everyone here.

- 7. Continued Business** - The Council will act on each item after accepting public comments.
- a. None

8. New Business (Old Business or Items Tabled)

- a. Review Recommendations from Planning Board for Dispensary Business Zoning – Jordan
 Deer Lodge City Council conducted a duly noticed public hearing at their regularly scheduled Council meeting on November 1, 2021, at 6:00 PM to accept comments regarding the proposed regulations; and the Deer Lodge City Council, after receiving public comments, elected to table the recommended ordinance in favor of a revised ordinance with altered land use requirements. City Council recognized the importance of adopting such an Ordinance as an Interim Zoning Ordinance to provide interim regulations while the City Council puts to an election by qualified electors in the municipality on whether to opt-out of approving marijuana businesses in accordance with 16-12-301, MCA which was held November 8, 2022.

FINAL VOTING RESULTS:

<p>Adult-Use Marijuana Dispensaries 53% (628) for 47% (552) against</p> <p>Medical Marijuana Dispensaries 58% (681) for 42% (484) against</p> <p>Combined-Use Marijuana Licensees 52% (606) for 48% (568) against</p> <p>Cultivators of Marijuana Products 50% (587) for 50% (581) against Recount occurred and confirmed "FOR" result</p>

<p>Manufacturers of Marijuana Products 51% (594) for 49% (569) against</p> <p>Marijuana Transporter Facilities 49% (568) for 51% (603) against</p> <p>Testing Laboratories 51% (592) for 49% (569) against</p>

Council President Bauman motioned City Council send this to a Public Hearing with the following recommendations. Member Greenwood seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

- Conditional Use in the B-1: Central Business District and Permitted Use in the B-2: Highway Business District.
- Require a Zoning Permit for building inspector, fire chief, and health department review (also at state level).
- State minimum on distance from places of worship and public schools: 500 feet and on same street.
- Research if we can have a cap on the number of dispensaries.
- Research the legality of a signage restriction ordinance.

- b. Review recommendations from Planning Board for other Marijuana Business Types Zoning– Jordan
No recommendations at this time from the Planning Board. Discussed cultivators and manufacturing final voting results. No motion or recommendation to the Planning Board from City Council.
- c. Review and comment on Planning Board Discussion of the Great West Growth Policy Proposal – Jordan
At the Planning Board meeting they met with Great West to discussed expectations from Great West and expectations from the Planning Board, the scope of work and staying within the budget. Discussed goals, objectives, and public outreach. No motion, discussion only.
- d. Lead and Copper Rule Revision (LCRR) Overview – Jordan and Trent
Presented information to the council outlining the New Lead and Copper Rule from the EPA. No motion, discussion only.
- e. American Legal online Code Overview – Jordan and Council Member Kersch
City code is now online. Couple changes online to be incorporated based on the new Ordinances we just passed that didn't make it in the code yet but is being updated by American Legal. Jordan gave a quick overview of the online code on the City's Website.
- f. Ordinance 2022-6: Title 15 Revision 2nd Reading - Jordan
Council President Bauman titled Ordinance 2022-6

AN ORDINANCE BY THE DEER LODGE CITY COUNCIL REMOVING THE ADOPTION OF THE 2021 INTERNATIONAL BUILDING CODE THROUGH ORDINANCE 2022-3 FROM TITLE 15 (BUILDINGS AND CONSTRUCTION) OF THE CITY OF DEER LODGE CODE OF ORDINANCES.

Member Kersch motioned to approve Ordinance 2022-6 2nd reading as presented. Member Molendyke seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

9. Next Meeting Announcements

- a. Regular Meeting – December 5, 2022, 6:00PM

10. Adjournment

Mayor Jess adjourned the meeting at 7:37PM.

Prepared By: Cyndi Thompson, City Clerk

James Jess, Mayor

Date



COUNCIL COMMITTEE REPORT

NOVEMBER 2022

Council Ops – Rob Kersch (Chairperson)

November 14th – Reviewed online City Code.

Finance – Dick Bauman (Chairperson)

November 7th - Passenger refueling area (Old Milwaukee track area), Landfill drying beds and street maintenance pay requests were discussed, approved, and forwarded to Council for payment. EPA lead and copper water lines revisions were explained by Public Works Director. October claims were reviewed, signed, and forwarded to City Council for approval and payment.

Economic Growth & Development – John Henderson (Chairperson)

No November meeting

Public Health & Safety – Joseph Callahan (Chairperson)

No November meeting

Public Works – John Henderson (Chairperson)

No November meeting