
CITY OF DEER LODGE

COUNCIL AGENDA

Monday, May 17, 2021 | 6:00 PM | PC Community Center

1. Call Meeting to Order | Pledge of Allegiance

2. Public Comment: Members of the audience may comment on any non-agenda item. 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.

3. Consent Items: The City Council considers all item(s) listed as consent to be considered routine and will act through one motion. There will be no separate discussion of these item(s) unless, before the City Council votes on the motion to adopt, members of the Council, staff, or the public request specific item(s) to be removed as consent for separate discussion and action.

a. Minutes

Regular Meeting: May 3, 2021

4. Public Hearing:

a. 802 4th St Rezoning – CAO Jordan Green

5. Department Reports:

a. CAO | b. Public Works | b. Police | c. Fire | d. Compliance

6. Mayor and Council Concerns:

7. Business Items: The Council will act on each item after accepting public comments.

- a. 802 4th St Rezoning – CAO Green
- b. Rezoning Ordinance 2021-1 (2nd reading) – CAO Green
- c. CJIN 911 MOU Amendment – CAO Green
- d. Surplus water truck sale – CAO Green

8. Next Meeting Announcement(s)

a. Regular Meeting – June 7, 2021 at 6pm at the PC Community Center

9. 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 OF DEER LODGE

CITY COUNCIL MINUTES

The City Council met on Monday, May 3, 2021 at 6 PM | PC Community Center

Members Present:	Dick Bauman, Amanda Bohrer, Mary Hathaway, Anthony Savalla (on zoom), Robert Kersch, John Molendyke, John Skibsrud & John Henderson
Members Absent:	None
Mayor:	Diana Solle
CAO:	Jordan Green
Staff:	Police Chief Smith, Peter Elverum, Judi Whitney
Consultants	None
Guests:	See Sign in Sheet

1. Call Meeting to Order | Pledge of Allegiance

Mayor Solle 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.

None.

3. Public Hearing.

None.

4. Consent Items – The City Council considers all item(s) listed as consent to be considered routine and will act through one motion. There will be no separate discussion of these item(s) unless, before the City Council votes on the motion to adopt, members of the Council, staff, or the public request specific item(s) to be removed as consent for separate discussion and action.

5. Minutes

- a. Regular Meeting: April 19, 2021

Expenditures

- a. None

6. Committee Reports

a. City Council Operations

Reviewed Title 4 (Sewer and Water) and Title 11 (Land Use). Made minor changes to both. Both need a little work before final approval. Should be completed by next meeting. Reviewed both City website and newspaper version of Council Chronicles. Website version looks good. Made recommendation for newspaper version to keep all of the Chronicles on one page and follow formatting as submitted for ease of reading. City Clerk will follow up with newspaper.

b. Economic Growth & Development

Continued Business: (a) North Gateway "Welcome" sign is in progress. The wood beam was purchased from Juice Custom Cutting for \$100. The sign itself is almost done. (b) Grant Updates: The Tourism Grant has not been awarded yet. (c) Successful Deer Lodge: Randy Carpenter met with Sherm Anderson (Sun Mountain Lumber), Neil Owens (Neil Owens Construction), and someone from Deer Lodge Medical Center. Sherm recommended promoting out-of-city tourist purchases, not just local customers to increase economy. The DLMC is building housing for employees only.

New Business: (a) East Annexation: discussion about Eastside of Stark Street. Currently, three of six lots receive city services. Trent informed the committee about potentially high cost to install lift-stations and new sewer line to provide services for the six properties. Similar needs of new sewer lines were mentioned. Committee will continue to discuss annexation in general at next month's meeting and ask for assistance from Public Works for infrastructure needs and eventually, Finance Committee for budgeting needs. (b) Welcome Basket Contributions: Committee is in favor of promoting the Official City Logo on a 3x3 sticker (used for water bottles, vehicles, laptops, etc.) to assist Chamber of Commerce with new businesses. Committee in favor of moving forward with the stickers regardless of "Welcome baskets" and having them available at City Hall and local businesses for purchase.

c. Finance Committee

April 5, 2021 - March claims were reviewed and approved to send to the City Council. Bid from Gilman Construction 2021 street maintenance was approved. Bid from DL Asphalt parking area at JC Park was approved. Resolution to sell excess equipment from the Fire Dept was approved. The budget process for 2021-2022 is on schedule.

d. Parks and Recreation

At Parks and Rec this month we looked at the new Parks and Trails Master Plan draft presented to us by Kathy Thompson of Stahly Engineering. A date was set for an Open House on May 11th, from 4-6pm at the Community Center. We are making sure a copy is at the front desk of City Hall for public review and feedback. To view the draft online visit, www.stahlyprojects.com/. Scott Hazelton the County Planner shared some new ideas the County Parks Board have been looking at involving trails extending South out of town. Diana Solle has completed training and built a draft Child Abuse Prevention Policy for the City of Deer Lodge. The month of April also happens to be National Child Abuse Prevention Month. The National Child Abuse Prevention draft will go before the Deer Lodge Youth Board and the Library Board for additions or corrections. The Committee looked at a contract between the City and Little League for softball in-field maintenance and repair and an amendment to the contract was made to fund the project for three years total instead of just one year.

- e. Public Health & Safety
 Received regular monthly reports from Police & Fire Departments, and Code Enforcement. The County Public Health representative did not attend, there was no report submitted. The County Emergency Planning Coordinator did not attend, however reported that the county has 35,000 sandbags and major flooding is unlikely. The City has 5,000 sandbags available. The State removed debris from culvert that was blocked. The City pulled a concrete slab out of the creek. Mr. Kip Kimerly did not attend for Hotel Deer Lodge agenda item, however he did inform the Mayor that the Texas engineer will not be doing the engineering inspection as previously reported, but a new engineer out of Missoula will perform the engineering inspection for structural integrity/safety. City staff documented that there was no \$400 fine assessed to Hotel Deer Lodge, rather a \$300 after hours Public Works callout for securing the sidewalk/parking area where winds blew debris off the building last year. No update on Fire Department billing for highway accidents.
- f. Public Works
 April 27th – We reviewed and suggested minor changes to the Communications Tower Sale and Lease Agreement between the City of Deer Lodge, MT and Inferno Wireless, LLC. We approved a motion to purchase a Side Cast Broom. We received a Public Work update.

7. Board Reports

- a. Airport Board – John Skibsrud
 No report.
- b. Arrowstone Park – John Molendyke
 No report.
- c. Chamber of Commerce – John Henderson
 Discussed the welcome basket. No demolition derby this year, looking at possibly doing a Battle of the Bands in its place.
- d. Headwaters RC&D – Amanda Bohrer
 No report
- e. Historic Preservation – Mary Hathaway
 Discussed volunteer hours and the new apartment complex. Discussed the façade at 502 Main Street and the 100-year anniversary for City Hall.
- f. Landfill – Anthony Savalla
 Motioned made and seconded to purchase a D-6 Track Blade. Filled the Operator 1 position. On going discussion about cattle carcasses.
- g. LEPC – Rob Kersch
 No report.
- h. Library – Amanda Bohrer
 The Librarian and one board member attended training online. Looked at the draft budget. Reviewing the Child Prevention Abuse Policy

- i. Planning Board – Dick Bauman (Member Bauman was absent at the Planning Board meeting)
CAO Green, Public Hearing 802 4th St Rezone Application. Approved to send to Council. Discussed JC Park 5.7-acre project. Discussed B-3 Neighborhood Commercial District. New Member to Historic Preservation. Territorial Days June 18th & 19th. Parade on the 19th, street dance 3-7pm.
- j. Youth Board – Amanda Bohrer
Friday night we had a Spring Formal, with 75 in attendance. Laser tag on Saturday 50 were in attendance. Next activity will be June 3rd which will be a Jr. High end of the year party at the youth center. Chemical Free Grand Night is on May 30th at the High School.

8. 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.

9. Business Items - The Council will act on each item after accepting public comments.

- a. Treasurer’s Report | April - Judi Whitney.
Receive the informational report. Accept the recommendation from the Finance Committee, approve and pay the claims. Member Bauman motioned to pay claims as presented. Council President Kersch seconded the motion. 7 Yea’s, 1 Yea on Zoom, 0 No’s.
- b. Clerk Report – Cyndi Thompson – No Report
- c. Committee Bylaws (recommendation from Council Ops Committee) – Rob Kersch
Council President motioned to approve Committee Bylaws; Member Bohrer seconded the motion. 7 Yea’s, 1 Yea on Zoom, 0 No’s.
- d. Street Broom – Trent Freeman
CAO Green there is an email in the packet from the supplier for the Side Sweep Broom. There are 3 Brooms available (pics attached).
 - i. The green one is a 1999 Broce Broom Model RC350. This one has 2,264 hours on it. The price is \$28,900. Cummins diesel engine. I am told it vibrates a bit.
 - ii. The yellow one is a 2011 Superior Broom Model DT80J. This one has 966 hours on it. The price is \$47,500. This has a John Deere engine and was told it runs smooth.
 - iii. The orange one is a 1999 Broce Broom Model RJ350. This one has 2,140 hours on it. The price is \$28,900. This one has a smooth-running John Deere engine.

The 2011 Superior Broom and in combination with the truck recommended to be purchased these two items together fall under budget by \$8,000. Recommendation from Finance and Public Works would be the 2011 Superior Broom.
Member Savalla motioned to accept the recommendation from Finance of the 2011 Superior Broom Model DT80J. Council President Kersch seconded the motion. 7 Yea’s, 1 Yea on Zoom, 0 No’s.
- e. Garbage Can Purchase – Trent Freeman
CAO Green, there is a sales quote in the packet for the purchase of new garbage cans. These were budgeted for \$6,000, and they came in under budget for \$5,638.00. We need a motion to approve the budgeted item.

Council President Kersch motioned to approve the purchase of the garbage cans. Member Hathaway seconded the motion. 7 Yea's, 1 Yea on Zoom, 0 No's.

f. Little League Agreement – CAO Green

CAO Green, the attached Agreement is in the packet. Section 2/b where it states "The City agrees to contribute \$1,000 from the Repair & Maintenance, supplies portion of the Parks Maintenance Budget as a singular contribution. Last year it was included in the budget to set aside \$1,000 per year for the life of the contract, so that would be 3-years. There was some miscommunication, and that topic has been brought before Finance and Parks & Rec to read a \$1,000 per year for the life of the contract. The amended contract includes the Little League to provide a report and receipts to City Hall showing what the money was spent on. Recommendation is to approve the amended agreement for the Little League \$1,000 Annually for the life of the 3-year contract.

Member Bauman motioned to approve the \$1,000 annual contribution for the life of the contract and the Little League to provide a report and receipts to City Hall showing what the money was used for. Member Henderson seconded the motion. 7 Yea's, 1 Yea on Zoom, 0 No's.

g. Inferno Wireless Tower Contract – CAO Green

CAO Green, the attached contract was presented to both Chris Anderson and Mark Hathaway of Inferno Wireless, to provide wireless internet to the City. They both provided comments, and those comments have been reflected in the Lease Agreement that you received. The changes to the contract were recommended by both Public Works and Finance. The contract stipulates they will Lease the land for 20-years at \$1.00 per year and will purchase the tower for \$2,500, located at the animal control center. In the contract, Inferno Wireless is required to provide five (5) free internet connections to the City outlined in Addendum A, City Hall, City Shop, Firehall, Library and the 5th TBD. Those location will receive wireless internet within 120 days of the installation, operation of the equipment. The internet service will be at the base price of the based advertised speed and if any of those locations wants faster internet service, we'll just have to pay the difference between the base rate and a higher speed rate. This has been recommended by Public Works and Finance. The recommendation is to have 5 internet connection with 1 connection be at a higher internet speed. Council President motioned to approve 5 internet connection with 1 connection be at a higher internet speed instead of 6 wireless connections. Member Savalla seconded the motion. 6 Yea's, 1 Yea on Zoom, 1 abstained, 0 No's.

h. Rezoning 611 2nd St Ordinance 2021-1 (first reading) – CAO Green

The Planning Board initiated the rezone action on behalf of the property owner to accommodate joint residential and commercial uses on the property at 611 2nd Street for Cow Poke additional storage. This is the 1st reading and the 2nd reading will be May 17th City Council Meeting. Council President motioned to approve Ordinance 2021-1 first reading. Member Hathaway seconded the motion. 7 Yea's, 1 Yea on Zoom, 0 No's.

10. Old Business (Old Business or Items Tabled)

- a. None.

11. Next Meeting Announcements

- a. Regular Meeting May 17, 2021 at 6pm.

12. Adjournment

Mayor Solle adjourned the meeting at 6:49 PM.

Prepared By: Cyndi Thompson, City Clerk

Diana Solle, Mayor

Date

REZONING APPLICATION STAFF REPORT

Jordan Green – April 5, 2021

Introduction –

Chiminh and Rian King-Chavez submitted a Rezoning Application on March 31, 2021 to rezone the property located at 802 4th Street in Deer Lodge in Section 04 of Township 07N, Range 09W, Block 47, Lots 17 through 20 from the R-2 Residential Single-Family and Manufactured Home Zoning District to the B-1 Business District to construct a small greenhouse that will serve as a retail storefront to the petitioners' business, King's Eastside Greenhouse. The home on the property houses the Vonnie Louise Inn. It will need to be classified as a Conditional Use, which is allowable under the B-1 Zoning Code.

The proposed structure would be a pre-built, non-permanent, 10x20 ft. wooden-framed greenhouse that would sit on an existing 18x30 ft. concrete pad at the Northwest corner of the property. The concrete pad currently holds a metal shed, which will be removed.

The proposed greenhouse would serve as a storefront for the applicant's business, and most of the growing and propagating would be done offsite at King's Eastside Greenhouse.

The single-family residence also on the property is being used as an Inn, which is owned and operated by the applicants for this zoning change. Both the greenhouse and the Inn are allowable in the B-1 Zoning Code, but the Inn will be classified as a Conditional Use.

Analysis of Application –

The analysis of this application followed the requirements specified on the Rezoning Application pursuant to Chapter 28 of the City of Deer Lodge Zoning Ordinance. The requirements and staff comments used in this analysis follow.

The zoning amendment is made in accordance with the Growth Policy

The rezoning application supports the economic development of a local business, which is an identified goal in the Growth Policy. The rezoning will not negatively impact the needs for adequate housing as provided by the current R-2 Residential Zoning. The proposal also increases the amount of retail business near downtown, which is in line with Growth Policy recommendations.

The zoning amendment is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements

The proposed use will not impact any of the above provisions. There are no expected changes to the building footprint or impacts on public infrastructure. The proposal just replaces an existing shed with a profitable business storefront.

The zoning amendment considers the promotion of compatible urban growth

The rezoning allows for a retail business to be near downtown Deer Lodge. It is compatible with surrounding uses, including hotels and inns, a grocery store, and residential uses.

The zoning amendment is designed to promote public health, public safety, and the general welfare

The rezoning will not impact public health, safety, or welfare. There are no expected major increases in street traffic, parking requirements, or other public welfare concerns.

The zoning amendment considers the reasonable provision of adequate light and air

As no changes are proposed for the building footprint, there will be no changes to adequate light and air provision. The proposed structure meets building height requirements for the zone, and the use of the proposed structure will have no impact on air quality.

The zoning amendment conserves the value of buildings and encourages the most appropriate use of the land throughout the jurisdictional area

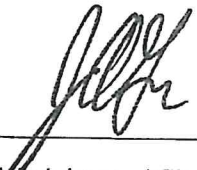
The rezoning allows for the highest and best use of an underutilized section of a lot and will not place undue burden on surrounding buildings and their uses.

The zoning amendment considers the character of the district and its peculiar suitability for particular uses

The rezoning does not impact the character of the district; the shed is already present and replacing it with a profitable and more attractive building will benefit the character of the district. As the primary use of the lot remains lodging in an old single-family home, the character of the lot remains consistent with the surrounding uses.

Recommendation –

Based on the above requirements and the positive impacts the rezoning would have on the economic development of Deer Lodge, the City Administration recommends the Planning Board recommend the Rezoning Application and the classification of the Vonnie Louise Inn as a Conditional Use to the City Council.



Chief Administrator/ City Planner

4/20/21

Date

To Whom it May Concern:

On the NW corner of our property, 802 4th St. (bordered by College St and the alley) is an existing 18' by 30' concrete pad with a metal shed. We plan to replace the metal shed with a pre-built non-permanent 10' by 20' wooden framed greenhouse. We intend to use said greenhouse to operate a retail in-town annex of the existing business; King's Eastside Greenhouse. Our primary products will be potted plants. The majority of these plants will be propagated off-site, at King's Eastside Greenhouse. We have plenty of parking, and anticipate little to no impact on neighborhood traffic.

Regards,

Chiminh and Rian King-Chavez

City of Deer Lodge

300 Main Street | Deer Lodge, MT | 59722 | 406.846.2238 | 406.846.3925 (f) | cityofdeerlodge.com

REZONE APPLICATION

The City of Deer Lodge considers an Application complete when all required (or requested) information is submitted.

Chapter #28, Section #1(3)(b) of the Zoning Ordinance requires the issuance of a notarized statement by at least one of the property owners of the property within the area proposed to be changed attesting to the truth and correctness of all facts and information presented with the application.

Please submit the completed Application, all supporting documents, and the appropriate fee to the Deer Lodge City Hall - 300 Main Street, Deer Lodge, MT 59722.

Applicant(s): Chiminh King-Chavez & Rian King-Chavez

Address: 802 4th St.

Email: rian.rkc@gmail.com Telephone #: (503) 449-5947

Property Address: 802 4th St.

Assessor Code(s): _____ Geocode(s): _____

Authorized Agent Information: _____

Address: _____

Email: _____ Telephone #: _____

Property Owner Signature: [Signature] Date: _____

Legal Description of Property (Subdivision / Addition and Blocks & Lots): _____

Tracts / COS# _____

Zoning District: _____ Overlay District: _____

Use of Structure or Property? _____

Adjacent Zoning & Land Uses:

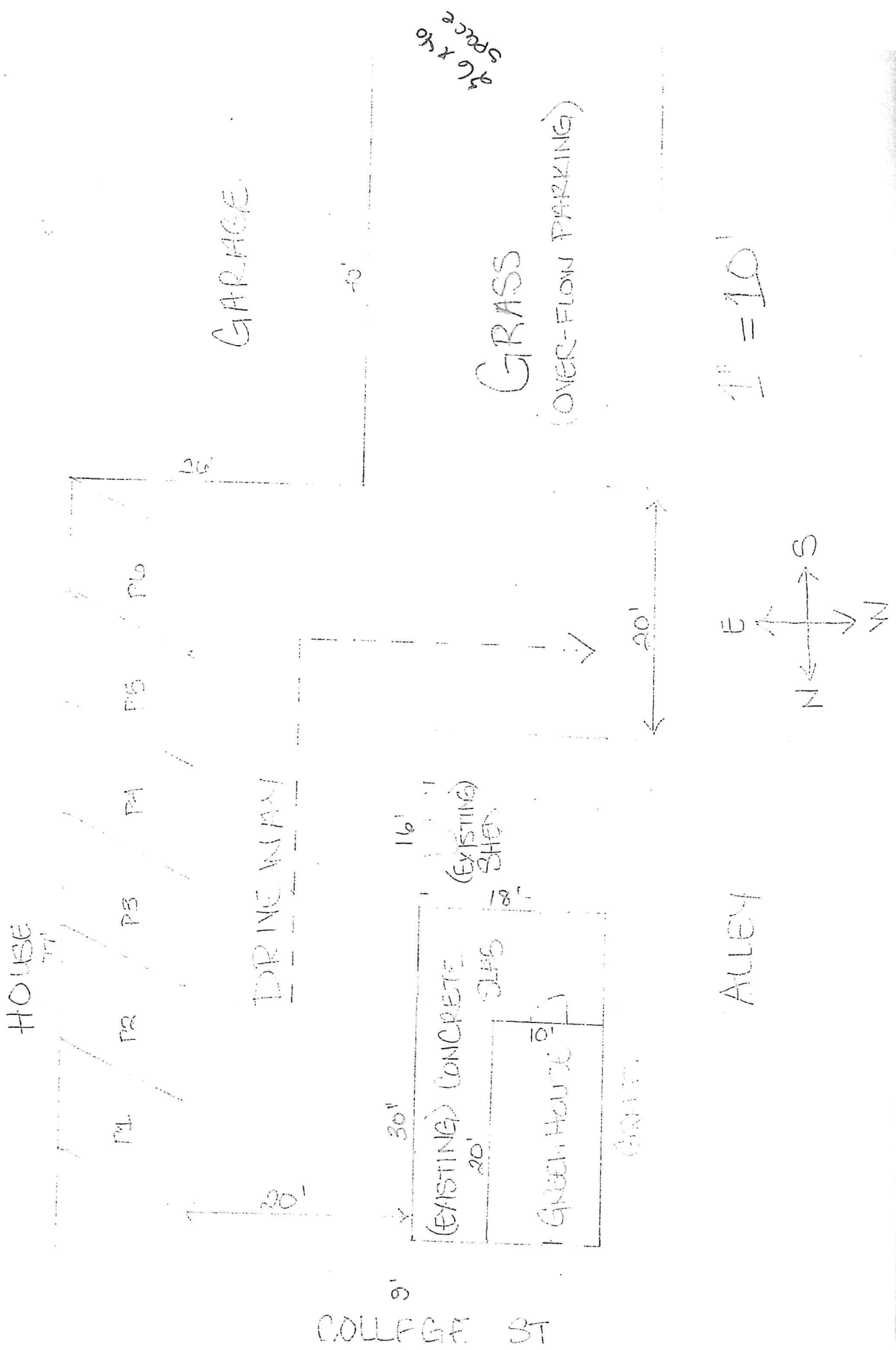
	Zoning	Land Use
North:	_____	_____
East:	_____	_____
South:	_____	_____
West:	_____	_____

What is the Requested Zoning for the Property? _____

What is Intended Use for the Property? Small retail greenhouse

Authorized Agent Signature: _____ Date: _____





CITY OF DEER LODGE

CAO REPORT

May 2021

PROJECT SUMMARIES

2021-2022 Budget

- Will have first draft ready to present at Finance in first week of June.

CBA Negotiations

- Two Police Union meetings. Still in the process of negotiations.
- Three Public Works meetings. Still in negotiations but getting close to agreement.

City Planning

- Had a variance public hearing, a Conditional Use Permit hearing, and am processing several rezonings. These will go in front of Planning Board or City Council this month.
- Working with Planning Board, Economic Growth and Development Committee, and Building Inspector on housing incentives, Main Street revitalization, and residential renovation incentives.
- Working with Future West on housing and Main Street plan. They should have ready by end of June.
- Attending Montana Housing Conference this week.

Grant Opportunities

- LWCF Grant: Writing pre-application. Grant cycle opens later this year. Looking at other grant opportunities to leverage funds.
- Homeland Security Grant: Waiting for grant cycle to open.
- DES Grant: Had appraisal as required for property acquisition.
- Tourism Grant Disbursed. Figuring out locations and designs for wayfinding signs.

Floodplain Administration

- In training. Expecting certification in June.
- Will be rewriting outdated City Ordinance with State DNRC Coordinator.
- Processing two Floodplain Development Permit Applications. Both are for Conley Street Bridge project.

Economic Development

- Processing four business licenses since last meeting.
- Attending webinars and reading information about ARPA, will be presenting findings soon.

INTEREST ITEMS FOR CITY COUNCIL

- See Report

COVID-19 RESPONSE

Currently the Administrative Office is moving forward on anticipated projects while working safely, practicing enhanced hygiene, and using personal protective equipment as directed.

CITY OF DEER LODGE

Public Works Report

April/May 2021

PROJECT SUMMARIES

Street Maintenance

- 2021 Street Maintenance Project preconstruction meeting to be set.
- Sweeping.
- Grading Alleyways.
- Guardrail Installed at Clark and Cottonwood Intersection.
- Street Sweepers ordered. Awaiting delivery and training.

Sewer Utility

- Brookside Sewer Project anticipated start date between Mid-May and Early-June.
- Sludge Compliance Report has been approved by DEQ.
- 1106 5th St. Sewer Service Line completed and inspected
- Replaced Lift Station Pump at 232 Clark St.

Parks and Rec

- Parks Groundkeeper has been hired.
- JC Park Trails Project preconstruction meeting to be set.
- Parks and Trails Master Plan Open House

Water

- Hydrant Replacement
- Replacement of old or broken curb stops
- Met with K&N Electric for a quote on a thermal and vibration analysis of the operating wells
- Received quote for a leak detection study for the City of Deer Lodge water system

Solid Waste

- Backup Garbage Truck in Helena for repair
- Order additional garbage cans and repair parts

INTEREST ITEMS FOR CITY COUNCIL

- TA project walkthrough with state for sod/topsoil placement
- Union Contract Negotiations
- Met with Randy Carpenter discussed infrastructure and housing needs
- Flood Mitigation Grant Meeting
- LWCF Grant discussions for automatic underground sprinklers at all Parks and Cemetery
- North Gateway Sign electrical quotes from DeSilva and Northwestern Energy
- Attended a meeting with Jordan regarding a security camera grant
- Attended the Landfill Board meeting and discussed moving forward with sludge disposal

- Attended a meeting with Jordan, Mayor Solle, and Lewis Smith regarding the landfill sludge disposal

COVID-19 RESPONSE

Currently the Public Works Crew is moving forward on anticipated projects while working safely, practicing enhanced hygiene, and using personal protective equipment as directed



CITY OF DEER LODGE

Police Department

300 Main St. Deer Lodge, Mt. 59722

Phone: (406)846-9585

Fax: (406)846-2500

George Smith

DLPD 75-2

April's Monthly Report

Calls for service 206

Citations 51

Speeding	16
Stop Sign	2
Insurance	4
Driving Suspended	3
No license	2
Improper Resistration	2
Drug Charges	8
Theft	2
Obstructing	2

Welfare Checks 16

Suicide 1

2 hour stand off with suicidal male with a firearm



FIRE DEPARTMENT REPORT

APRIL 2021

HIGHLIGHTS

- 5 Calls for Service – 1 extraction – 1 small grass fire on I-90 – 1 mutual aid call to help Garrison FD with water – 1 smell of burning electrical (exhaust fan was out) – 1 gas leak.

PROJECT SUMMARIES

- None.

INTEREST ITEMS FOR CITY COUNCIL

- We put in applications for a couple of grants. 1 small rural grant for about \$5,000. The other a FEMA grant for about \$250,000.

STAFFING CONCERNS

- We will be sending a guy to some training at a conference in Shelby, MT.

COVID-19 RESPONSE

- None.



CODE COMPLIANCE OFFICER REPORT

April 2021

HIGHLIGHTS

- 2 dogs that were impounded owners had to pay impound fee and license their dogs along with getting their rabies shots updated.
- Mailed out 22 reminders for households with unlicensed dogs

PROJECT SUMMARIES

- We have over 330 dogs that have been licensed as of end of April
- RV resident of 1106 5th street were cited for Public Nuisance they are contesting their citation and a resident cited for dog at large is also contesting her citation still has not went to court.
- The resident that has the vehicles in the city right of way on California has removed one of the vehicles and one trailer.
- Property owner turned in Junk Vehicle paperwork to have vehicle removed from property waiting on the coordinator at this time there has been no progress on this as of today. The county contact for that is still trying to find a location to store impounded vehicles
- The 4 vehicles that were tagged last month as abandoned / junk, were all removed by their owners
- The property owner on 2nd street removed the discarded fence that was on the boulevard
- The property owner at 1105 5th street did clean up the majority of the bagged cans that were in his side yard that is in public view.

INTEREST ITEMS FOR CITY COUNCIL

- Food for thought the city does not have a noise ordinance

STAFFING CONCERNS

- Position is currently vacant the calls are being covered by the PD

COVID-19 RESPONSE

ORDINANCE 2021-1

AN ORDINANCE BY THE DEER LODGE CITY COUNCIL TO REZONE 611 2ND STREET (28-1578-04-2-39-09-0000) FROM THE R-3, RESIDENTIAL, HIGH DENSITY DISTRICT TO THE B-3, NEIGHBORHOOD COMMERCIAL DISTRICT.

IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA:

WHEREAS, Section Two, Part Three 76-2-301 et. Seq. of the Montana Code Annotated authorizes the City of Deer Lodge to adopt and enforce local zoning regulations to promote the public health, safety, morals, of the general welfare of the community; and

WHEREAS, the City of Deer Lodge Planning Board has the responsibility to review zoning regulations for the City of Deer Lodge; and

WHEREAS, the Planning Board initiated the rezone action on the behalf of the property owner to accommodate joint residential and commercial uses on the property; and

WHEREAS, the property is a 13,650-square foot lot on the east side of Second Street in Section 04, Township 07 North, Range 09 West, Block 34, Lots 4-6 and North 15 feet of Lot 7 in the Original Addition of Deer Lodge; and

WHEREAS, the Planning Board discussed the rezone action at their March 23, 2021 meeting. FURTHER, the Planning Board agreed there is merit to the request as the owner intends to lease a storage space to an adjacent commercial property owner to benefit the economic development of a local commercial enterprise; and

WHEREAS, the Planning Board held a duly noticed public hearing on March 23, 2021 to consider the rezone action. FURTHER, the Planning Board after receiving a summary from the City Administrator / Planner and public comments, elected to forward the rezone to the City Council through a seven to zero vote; and

WHEREAS, the Deer Lodge City Council conducted a duly noticed public hearing on April 19, 2021 at 6:00 PM to accept comments regarding the proposed amendment. FURTHER, the City Council at their regular meeting on April 19, 2021 after deliberations, agreed through a vote of seven to eight to zero to proceed with the rezone through subsequent Ordinance readings; and

NOW, THEREFORE, BE IT RESOLVED, that the Deer Lodge City Council hereby rezones the 611 2nd Street (28-1578-04-2-39-09-0000) from the R-3, Residential, High Density District to the B-3, Neighborhood Commercial District, to accommodate joint residential and commercial uses on the property.

SEVERABILITY. If any selection, subsection, sentence, clause, phrase, or word of Ordinance 2021-1 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance 2021-1 and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences,

clauses, phrases, or words have been declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

The attached Mapping Exhibit illustrates the subject property.

First reading by the City Council on the 3rd day of May, 2021.

Passed and Approved by the City Council of the City of Deer Lodge, Montana on the first reading at a Regular Council Meeting on the 3rd of May, 2021.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman	X			
Amanda Bohrer	X			
Mary Hathaway	X			
John Henderson	X			
Robert Kersch Council President	X			
Anthony Savalla	X			
John Molendyke	X			
John Skibsrud	X			
Diana Solle Mayor				

Diana J. Solle, Mayor

Attest:

Cyndi Thompson, City Clerk

Passed and Approved by the City Council of the City of Deer Lodge, Montana on final reading at a Regular Council Meeting on the 17th of May, 2021.

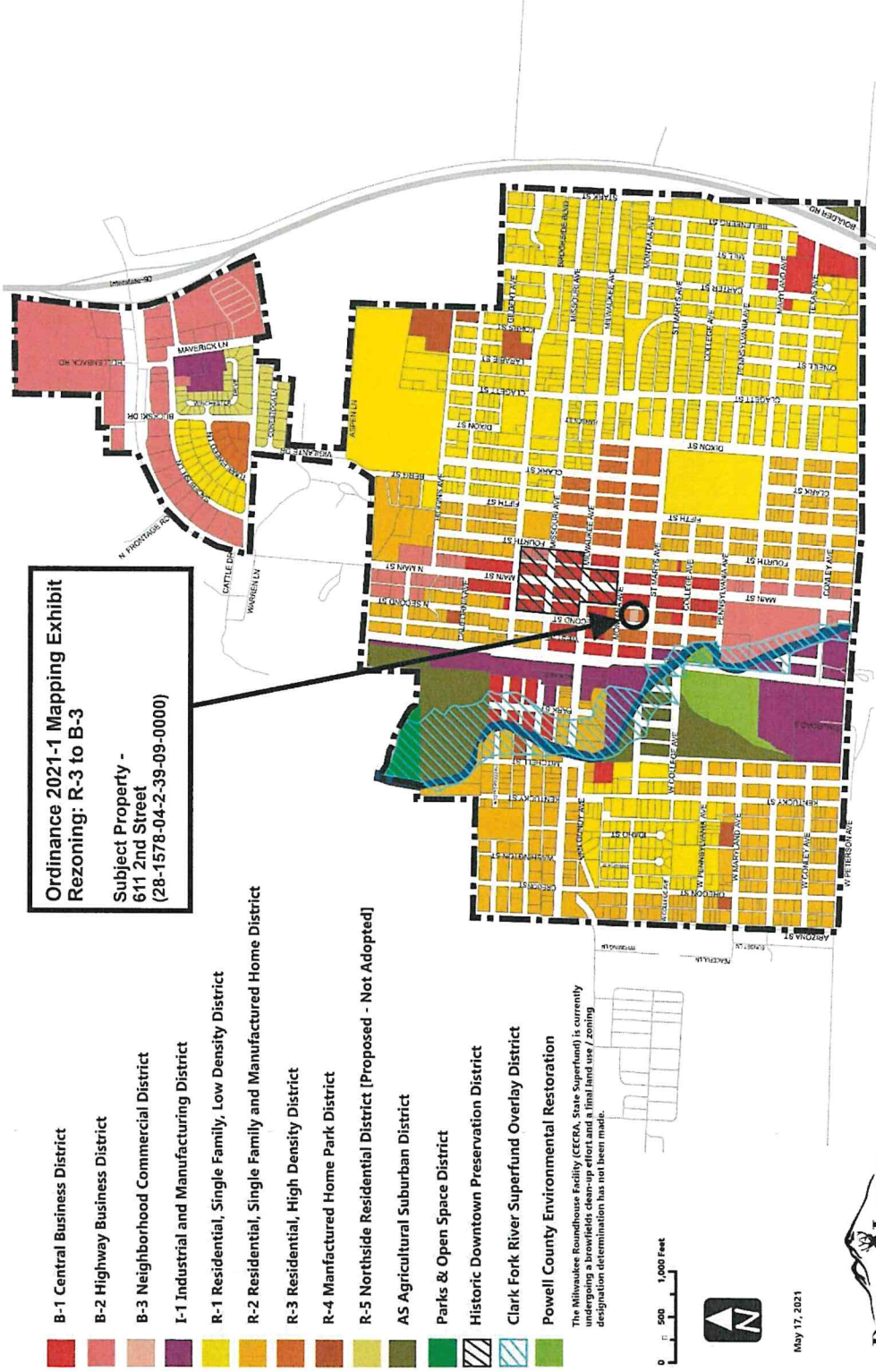
Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman				
Amanda Bohrer				
Mary Hathaway				
John Henderson				
Robert Kersch Council President				
Anthony Savalla				
John Molendyke				
John Skibsrud				
Diana Solle Mayor				

Diana J. Solle, Mayor

Attest:

Cyndi Thompson, City Clerk

The effective date of Ordinance 2021-1 is June 20, 2021.



Ordinance 2021-1 Mapping Exhibit
Rezoning: R-3 to B-3
Subject Property -
611 2nd Street
(28-1578-04-2-39-09-0000)

- B-1 Central Business District
- B-2 Highway Business District
- B-3 Neighborhood Commercial District
- I-1 Industrial and Manufacturing District
- R-1 Residential, Single Family, Low Density District
- R-2 Residential, Single Family and Manufactured Home District
- R-3 Residential, High Density District
- R-4 Manufactured Home Park District
- R-5 Northside Residential District [Proposed - Not Adopted]
- AS Agricultural Suburban District
- Parks & Open Space District
- Historic Downtown Preservation District
- Clark Fork River Superfund Overlay District
- Powell County Environmental Restoration

The Milwaukee Remediation Facility (CERCLA, State Superfund) is currently undergoing a brownfields clean-up effort and a final land use / zoning designation determination has not been made.

City of Deer Lodge Zoning



**ADDENDUM TO THE
DISPATCH & DETENTION SERVICES AGREEMENT FOR
NON-TERMINAL AGENCY CJIN ACCESS**

This addendum to the dispatch services agreement is made and entered into between Powell County, Montana (Powell County Sheriff's Office, MT0390000) and the City of Deer Lodge, Montana (Deer Lodge Police Department, MT0390001) for the purpose set forth below:

I. **PURPOSE**

The purpose of this agreement is to outline the requirements and responsibilities of the Terminal Agency and Non-terminal Agency when the Terminal Agency enters, updates, and removes records in the Criminal Justice Information Network (CJIN) and the National Crime Information Center (NCIC) on behalf of the Non-Terminal agency.

II. **HOLDER OF THE RECORD REQUIREMENTS**

As Designated by this agreement, the parties will follow these procedures when records are entered by the Terminal Agency into CJIN/NCIC for the Non-Terminal Agency:

- 1) Records entered into CJIN/NCIC on behalf of the Non-Terminal Agency will be entered using the following Originating Agency Identifier (ORI):
_____ Powell County Sheriff's Office, MT0390000 _____
- 2) All records entered on behalf of the Non-Terminal Agency will be validated in accordance with CJIN/NCIC policy by the following agency:
_____ Powell County Sheriff's Office, MT0390000 _____
- 3) All records entered into CJIN/NCIC on behalf of the Non-Terminal Agency will be confirmed by the following agency:
_____ Powell County Sheriff's Office, MT0390000 _____

Note: If records are confirmed by the Terminal Agency, the Terminal Agency must have originals, copies, or a list of the valid warrants/theft reports available for hit confirmation. If records are confirmed by the Non-Terminal Agency, a method of contact must be in place to insure compliance with hit confirmation policies.

- 4) The Non-Terminal agency will immediately notify the Terminal Agency of any updates, or changes to the status of the record entries.

III. RESPONSIBILITIES

The above named Terminal and Non-Terminal agencies are required to follow all CJIN/NCIC policies as outlined in this Addendum, the Non-Terminal Agency User Agreement, the Terminal Agency's CJIN User Agreement and the CJIN and NCIC operating manuals.

ACKNOWLEDGMENT

I hereby acknowledge the duties and responsibilities as set forth in this document as well as those documents incorporated by reference. I further acknowledge that a failure to comply with these duties and responsibilities will subject our CJIN access to various sanctions and may include the termination of CJIN access to either party. I certify that I have read and understand the requirements of this Addendum and I will uphold this agreement. All changes in holder of the record responsibilities will be promptly reported to CJIN Services.

This agreement becomes effective on MAY 10, 2021.


CJIN TERMINAL AGENCY

By: 
Gavin R. Roselles

Sheriff

5-10-21
(Date)

NON-TERMINAL AGENCY

By: 
George Smith

Acting Chief of Police

5/10/2021
(Date)

INVITATION FOR BID

Separate sealed bids for a **1976 Kenworth W-900 Water Truck** will be received by the City of Deer Lodge, in the City Council Chambers of City Hall, 300 Main Street, Deer Lodge, MT 59722. Sealed bids will be publicly opened and read aloud on May 5, 2021 at 2:00 PM local time.

The Equipment generally consists of:

Used 1976 Kenworth W-900 Water Truck, Model TK, Style TN, VIN: 896283C. Equipped with Power Takeoff with "pump and roll" capabilities from a Berkley Hydraulic-driven pump, a 4,000-gallon United Tank brand tank, a 1 ½" booster reel, side and rear spray bars, and a 13-speed transmission with a Cummins motor.

Please write the name of the project on the front of the sealed bid.

Bids must be received before **2:00 PM Wednesday, May 5, 2021**. Original copies must be submitted – no faxed or electronic bids will be accepted. Bids will be opened and read aloud following the close of bids.

No bid may be withdrawn after the scheduled time for the public opening of bids, which is **2:00 PM local time, May 5, 2021**.

The starting price for bidding will be \$25,000.

The City reserves the right to reject any or all proposals received, to waive informalities, to postpone the award of the contract for a period not to exceed sixty (60) days, and to accept the lowest responsive and responsible bid which is in the best interest of the OWNER. The City of Deer Lodge is an Equal Opportunity Employer.

DATED THIS 9th day of April 2021, in Deer Lodge, Montana

300 Main Street

Deer Lodge, Montana, 59722

M+P Excavating
608 Oregon St
Deer Lodge, MT 59722

Tax ID 47-3040821

Phone 406-491-1839

Bids \$30,020

Thirty thousand Twenty dollars

Jeff McQueeney



INVITATION FOR BID

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DATED THIS 13th day of April 2021, in Deer Lodge, Montana

300 Main Street

Deer Lodge, Montana, 59722