



PUBLIC WORKS COMMITTEE AGENDA

Tuesday October 26, 2021 – 5 PM | Council Chambers, City Hall.

1. Call meeting to order
2. Approval of Minutes
 - a. September 28, 2021
3. Public Comment - **Limit to three minutes per person**
4. Old Business
 - a. None
5. New Business
 - a. Final Pay Estimate Brookside Sewer Project – Trent Freeman
 - b. Public Works Monthly Report – Trent Freeman
6. Staff Comments
7. Announcement of the next meeting:
 - a. November 23, 2021
8. Adjournment

Public Works Committee

Garbage | Sewer | Streets | Trees | Wastewater | Water

Members

John Molendyke (Chair) | Anthony Savalla | John Henderson

PUBLIC WORKS COMMITTEE MINUTES

Tuesday, September 28, 2021, at 5PM | Council Chambers, City Hall.

Members Present: John Molendyke, John Henderson & Anthony Savalla
Members Absent: None
Mayor: Diana Solle
CAO: Jordan Green
Council Member: None
Staff: Trent Freeman
Consultants: None
Guests: See sign in sheet

1. Call Meeting to Order

Chairperson Molendyke called the meeting to order at 5:00PM.

2. Approval of Minutes

a. August 24, 2021

Member Henderson motioned to approve the minutes as presented. Member Savalla seconded the motion. 3 Ayes, 0 No's. Motion passed.

3. Public Comment - Limit to Three Minutes Per Person

a. None.

4. Old Business

a. LIHWAP – CAO Green

CAO Green, Spoke with the Department of Human Services to get better clarification on this program. To clarify exactly what the Department of Public Health and Human Services do is send out applications to anyone that qualifies and receives fuel assistance last year automatically gets an application. What they do for us is they will cut a check once a week to the City, which is one full check and itemized by how much money would be placed for each account and itemized by account and address. Program is set to end

September 30, 2023, but there is potential for the program to become permanent. It is also combined with the Low Energy Program, so people may be able to apply for that.

Member Henderson motioned to move forward with the program and forward to Council for approval. Member Savalla seconded the motion. 3 Ayes, 0 No's. Motion passed.

5. New Business

- a. Terry/Kathy White City Property Abandonment Request – CAO Green
CAO Green summarized, Terry & Kathryn White, of 113 & 117 West Milwaukee Avenue, submitted a Request for Abandonment of City Owned Property to me on September 17, 2021. The Whites request that the city abandon and deed to themselves the portion of the West Missouri Avenue right-of-way directly north of their properties at 113 & 117 West Milwaukee Ave. The purpose of said abandonment is to create a usable backyard for the properties, as well as to line up with the recently approved request for abandonment of city owned property by Peggy White of 413 Park Street, daughter, and neighbor to the applicants. The Whites submitted for a right-of-way encroachment permit previous to this abandonment request for the placement of a fence on City right-of-way, which was denied at City Council on August 2, 2021, with a vote of five for denial, two against denial, and one absent.

The approximately 1,500 square foot property is the property of the taxpayers of the City of Deer Lodge, and the City should require compensation for the abandonment of public land. Staff approximated a sell price of \$4,400 to be attached to the deed for the benefit of the Public Works Committee and the City Council to recoup the loss of the public property.

This sell price was calculated as an average of the value per square foot of adjacent properties. The adjacent properties were selected on Montana Cadastral, which specifies every property's square footage. The 2021 appraisal of the land value for each property was divided by the number of square feet to calculate the value per square foot for each adjacent property. The average of these values was taken and applied to the square footage of the requested property abandonment.

Staff Recommendation:

Staff recommends the abandonment of the City owned property described as the approximately 25' by 60' section of the West Missouri Avenue right-of-way directly north of 113 & 117 W Milwaukee Ave to the applicant for the sale price of \$4,400.

Staff also recommends the Public Works Committee and City Council require the new property boundary be located two feet south of the Qwest utility box currently in the West Missouri Avenue right-of-way. Furthermore, staff recommends the Public Works Committee and City Council require the applicants to contact the utility company that owns the box to explain the proposed abandonment and get approval that company has no issue with the change in property boundary. Staff also recommends the applicants be responsible for any and all conditions the utility company requires to approve the

change in property boundary, and that the City should not be held responsible for any interactions between the utility company and the applicants after the filing of the quitclaim deed.

Upon recommendation of the abandonment by the Public Works Committee, the applicant will be responsible for obtaining letters of no objection from 51% or higher of adjacent property owners. Adjacent landowners to the property are the City of Deer Lodge, Peggy White of 413 Park Street, and Marilyn Horton of 111 W Milwaukee Avenue. For the purposes of this property abandonment due to limited adjacent landowners, staff recommends the City requests letters of no objection by Peggy White and Marilyn Horton be submitted to the City to ensure there are no other claims to the land besides the City, Peggy White, Marilyn Horton, and the applicants.

Requiring a different sale price is at the discretion of the Public Works Committee and City Council.

Upon obtaining the letters of no objection required, the request for abandonment and Public Works recommendation will be scheduled for duly noticed public hearing before the City Council. All public notice fees will be paid by the applicant. Should the Council resolve to sell the property by a two-thirds vote as required by MCA 7-8-4201(2)a, the applicant will be responsible for contracting a licensed surveyor to file a Certificate of Survey adjusting the property boundary and a Quitclaim deed with the Powell County Clerk and Recorder. These documents must be approved by the City and be in full adherence to City of Deer Lodge subdivision review exemption requirements. All surveyor, survey review, and filing fees will be the sole cost of the applicant.

Member Savalla motioned to approve Terry/Kathy White City Property Abandonment Request as presented with staff recommendations and forward to City Council. Member Henderson seconded the motion. 3 Ayes, 0 No's. Motion passed.

b. Mitchell Street Concerns – CAO Green

There was a public concern about the barricades at the end of Mitchell Street the City put in quite a few years back. The resident is requesting the barricades be removed so they can get lawn equipment in there to mow and spray for weeds.

No motion, only discussion.

c. Denty ROW Excavation Request – CAO Green

Public Works Supervisor Trent Freeman stated the request is to dig a 4' square hole and fill it with rock for drainage hole. This is called a "French Drain".

A French drain or weeping tile is a trench filled with gravel or rock or containing a perforated pipe that redirects surface water and groundwater away from an area.

Member Savalla motioned we deny the excavation request. Member Henderson seconded the motion. 3 Ayes, 0 No's. Motion Passed.

- d. Public Works Monthly Report – Trent Freeman
Public Work Supervisor Trent Freeman summarized ongoing and completed projects.

6. Staff Comments:

- a. None.

7. Announcement of the next meeting

- a. Next meeting: October 26, 2021, at 5pm.

8. Adjournment

- a. Meeting adjourned at 5:54pm.

Prepared by Cyndi Thompson, City Clerk

John Molendyke, Chairperson

Date

Public Works Committee

Garbage | Sewer | Streets | Trees | Wastewater | Water

Members

John Molendyke (Chair) | John Henderson | Anthony Savalla (Vice)

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Owner:		Application Period:	8/20/2021 To 10/7/2021	Application Date:	10/7/2021
City of Deer Lodge		From(Contractor):		Via(Engineer):	
Project:		MJD Contracting, LLC.		Stahly Engineering-Bozeman	
Sewer Main Replacement Brookside Blvd		Contractor's Address:	12 Ponderosa Rd. Clancy, MT 59634		
Owner's Contract No.		Contractor's Project No.:	20076	Engineer's Project No.:	2506-02F-20

Change Order Summary		
	Approved Change Orders	
Number	Additions	Deductions
1	\$1,603.80	
TOTALS	\$1,603.80	\$0.00
NET CHANGE BY CHANGE ORDERS		\$1,603.80

Payment Details

1. ORIGINAL CONTRACT PRICE	\$ 176,248.00
2. Net change by Change Orders	\$ 1,603.80
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$ 177,851.80
4. TOTAL COMPLETED AND STORED TO DATE	\$ 177,851.80
5. RETAINAGE:	
a. 5% x <u>\$0.00</u>	\$0.00
b. 5% x <u>\$0.00</u>	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$ 177,851.80
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$ 137,840.25
8. AMOUNT EARNED THIS APPLICATION	\$ 40,011.55
9. LESS GROSS RECEIPTS TAX THIS APPLICATION(1%)	\$ 400.12
10. AMOUNT DUE THIS APPLICATION (Line 8- Line 9)	\$ 39,611.43
11. BALANCE TO FINISH, PLUS RETAINAGE	\$ -

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: Mary Lou
(Contractor)

Date: 10/7/2021

Approval Section

Approved by: _____ Payment of: \$ <u>39,611.43</u> is recommended by: <u>[Signature]</u> _____ (Engineer/Inspector)	10/8/21 (Date)
Approved by: _____ Payment of: _____ is approved by: _____ _____ (Owner)	_____ (Date)
Approved by: _____ Payment of: _____ is approved by: _____ _____ Funding Agency	_____ (Date)

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4		MATERIAL STORAGE	
5	TOTAL WORK & MATERIAL STORAGE \$		\$ 177,851.80
6	5% RETAINAGE \$		-
7	TOTAL LESS RETAINAGE \$		\$ 177,851.80
8	PREVIOUS PAYMENTS \$		\$ 137,840.25
9	SUBTOTAL \$		\$ 40,011.55
10	STATE 1% TAX \$		\$ 400.12
11	PAYMENT DUE \$		\$ 39,611.43
	REMAINING PLUS RETAINAGE \$		-

CITY OF DEER LODGE

Public Works Report

September/October 2021

PROJECT SUMMARIES

Street Maintenance

- Asphalt Patching completed
- Getting Sander ready for the winter
- Grading Alleyways
- Tree Trimming
- Sign Removals and Installation

Sewer Utility

- Brookside Sewer Project completed with gravel placement and asphalt patching on Center St. finished
- Exploratory Excavation of Sewer Main to determine cause of high Inflow and Infiltration

Parks and Rec

- Removed Fencing from Sledding Hill

Water

- Replace broken and/or outdated curb stops
- Abandon old water service line
- Flushing water mains
- Flow Testing Fire Hydrants

Solid Waste

- Nothing to report

Mosquito Abatement

- Nothing to report

INTEREST ITEMS FOR CITY COUNCIL

- Submitted DMR-QA Study 41 to DEQ
- Received annual BARSAA Reimbursement in the amount of \$77,444.99 for the 2021 Street Maintenance Project
- Gary Effers, the newly hired WWTP Operator is working out nicely

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.