



COUNCIL AGENDA

Tuesday, July 6, 2021 - 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 item. State Statute limits 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. Public Hearing

a. None.

4. Approval of Minutes

a. Regular Meeting: June 7th & June 21, 2021

5. Committee Reports – Accept Committee Report as presented (report in packet)

- | | |
|--|---|
| a. City Council Operations – Rob Kersch | d. Parks & Recreation – Amanda Bohrer |
| b. Economic Growth & Development – Mary Hathaway | e. Public Health & Safety – Anthony Savalla |
| c. Finance Committee – Dick Bauman | f. Public Works – John Molendyke |

6. Board Reports

- | | |
|--|---------------------------------|
| a. Airport Board – John Skibsrud | f. Landfill – Anthony Savalla |
| b. Arrowstone Park – John Molendyke | g. LEPC – Rob Kersch |
| c. Chamber of Commerce – John Henderson | h. Library – Amanda Bohrer |
| d. Headwaters RC&D – Amanda Bohrer | i. Planning Board – Dick Bauman |
| e. Historic Preservation – Mary Hathaway | j. Youth Board – Amanda Bohrer |

7. Continued Business (Continued or Tabled)

- a. Ordinance 2021-2 2nd reading – CAO Green
- b. Ordinance 2021-3 2nd reading – CAO Green
- c. Resolution 2021-R-9: Fire Department Surplus – CAO Green

8. New Business - The Council will act on each item after accepting public comments.

- a. Treasurer's Report | June Claims - Judi Whitney. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.
- b. Brookside Pay Estimate – Trent Freeman
- c. Approve Engineering Scope for Drying Beds – Trent Freeman
- d. Resolution 2021-R-10: Authorization to Change Sprinkling Hours – CAO Green and Trent Freeman
- e. City Attorney Contract Renewal – Mayor Solle
- f. Appoint new member to Planning Board: Rick Buck – Mayor Solle

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

- Board of Adjustment – July 12th at 12 PM *(if needed)*
- City Council Operations – July 12th at 5 PM
- Economic Growth & Development – July 8th at 12 PM
- Finance – July 6th at 3PM
- Historic Preservation – TBD at 6PM
- Parks and Recreation – July 13th at 4 PM
- Planning Board – July 19th at 10AM *(if needed)*
- Public Health & Safety – July 8th at 5 PM
- Public Works – July 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. Regular Meeting July 19, 2021, 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 OF DEER LODGE

CITY COUNCIL MINUTES

The City Council met on Monday, June 7, 2021 at 6 PM | PC Community Center

Members Present:	Dick Bauman, Amanda Bohrer, Mary Hathaway, Robert Kersch, John Molendyke, John Skibsrud & John Henderson
Members Absent:	Anthony Savalla
Mayor:	Diana Solle
CAO:	Jordan Green
Staff:	Trent Freeman, Police Chief Smith, Peter Elverum, Judi Whitney, Cyndi Thompson
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.

None.

3. Public Hearing.

Member Hathaway motioned to move Business Items 9b to Public Hearing line item 3a.

Council President Kersch seconded the motion. Vote was 7 Yea's, 1 Absent, 0 No's. Motion Passed.

a. Vonnie-Louise Inn CUP Public Hearing 802 4th Street– CAO Green

The property is currently under the process of applying for rezoning from the R-2 Single Family and Manufactured Home District to the B-1 Central Business District, to allow a small retail greenhouse to operate on the property. Under the provisions of Chapter 19, Section 2-E(3)i of the City of Deer Lodge Zoning Ordinance, hotels and inns must be approved as Conditional Uses pursuant to the requirements of Chapter 12 of the Zoning Ordinance.

The Planning Board held a public hearing on April 26, 2021, to consider the rezoning application. Following a presentation of the proposed use of the property that warranted the rezoning, and after a time set aside for public comment, the Planning Board voted unanimously to recommend the Rezoning to go before the City Council for a second public hearing.

Public Hearing opened at 6:04pm – Public Hearing Closed 6:05pm – No public comments made.

Member Hathaway motioned to approve Vonnie-Louise Inn CUP. Member Henderson seconded the motion. The vote 7 Yea's, 0 No's, 1 Absent. Motion Passed.

b. B-3 District Rezoning Public Hearing – CAO Green

During their meeting on October 27, 2020, the Planning Board of the City of Deer Lodge agreed to have a public hearing to discuss the rezoning of several areas around Deer Lodge from the B-1 Central Business District to the B-3 Neighborhood Commercial District. The B-3 Neighborhood Commercial District had been created and passed through ordinance on January 21, 2020, by the City of Deer Lodge City Council. However, the zoning map was never amended to include any B-3 Districts in Deer Lodge.

The intent of the B-3 Neighborhood Commercial District is to "establish and preserve areas accommodating modestly scaled commercial activities adjacent to residential uses." The B-3 District is intended to provide professional services, personal services, and retail sales which have less impact on the surrounding neighborhood and are more suitable for proximity to residential uses. This is in contrast with the B-1 Central Business District, which allows more intensive, downtown-style uses that would be more intrusive in a neighborhood.

As the properties in question are not downtown, and tend to be located near residential uses, the Planning Board and City Council saw it appropriate to create a new District which would allow uses that are more accommodating to residential neighborhoods. The properties in question are 1027 Texas Ave, 1100 Texas Ave, 1205 Texas Ave, 1101 Maryland Ave, 1010 Carter St, 604 Mitchell St, and seven lots on Park St owned by the City of Deer Lodge. These lots currently house the old hospital and its surrounding commercial and civic uses, Circle H Growers LLC, the old KOA Campground, and several vacant lots. *See attached map for locations.*

Current uses will not be impacted as they are all permitted within the B-3 district; the intent of the rezoning is to preserve these areas for future commercial uses that are complimentary to the adjacent residential uses. *See attached copy of the B-3 Zoning Ordinance for permitted uses.*

Public Hearing opened at 6:15pm – Public Hearing Closed at 6:15pm – No public comments made.

Member Bauman motioned to move Business Items 9c to Public Hearing line item 3b. Council President Kersch seconded the motion. Vote was 7 Yea's, 1 Absent, 0 No's. Motion Passed.

Member Hathaway motioned to approve B-3 District Rezoning. Council President Kersch seconded the motion. The vote was 7 Yea's, 1 Absent, 0 No's. Motion passed.

4. Approval of Minutes.

- a. Regular Meeting: May 17, 2021 – Member Skibsrud motioned to move to item 4a to 9g. Member Bauman seconded the motion.
Member Skibsrud motioned to accept minutes. Member Bauman seconded the motion. Vote was 5 Yea's, 0 No's, 1 Absent, 2 abstained.

5. Committee Reports

- a. City Council Operations

Reviewed Title 11 (Land Use) Changes. Finalized Title 4 (Sewer & Water). Reviewed Council etiquette guidelines. Received update on campground status and annexation plans. Reviewed status of Title 10 and turned over to CAO.

- b. Economic Growth & Development

Annexation: Will be moved forward to the Public Works Department to get an overall estimate of utility infrastructure cost for the East, South, and West areas identified on the 2018 Annexation Map. Goal is to determine if is worth pursuing annexation in these areas from a cost perspective.

TIF - CAO Green discussed creating Housing TIFS. Potential areas of first, annexation then second, TIF districts are: North—Janey 30 acres; East—acreage owned by city on Emery Road and acreage owned by city near Jaycee Park; South—acreage south of cemetery and acreage south of Conley Street by Peterson Creek; and West—acreage by Arizona Street. Council/City can use money (? Which kind) for land acquisition, infrastructure, and high-intensity use. Currently, the County is working on creating an Industrial district at the Old Milwaukee Roundhouse (County-owned on city property). Housing location items have various deadlines starting August 1st.

100-Year Anniversary: no update from the Governor on making Deer Lodge the state capital for the day, but paperwork has been seen and moved on to the next step. City Hall will be open on Saturday, June 19 for visitor walk-through. A display or possible video of the clock tower and other historical items will be in Council Chambers.

Deer Lodge Stickers: CAO Green final recommendation (from three companies) is for 1000 3x3 inch vinyl sticker decals in official dark blue color from uprinting.com. Cost is \$112 plus shipping. Some decals will be available on June 19th for 100-year anniversary.

Tourism Grant: City awarded \$17,900 from Montana Chamber of Commerce for wayfinding signs. Signs will be put at the Prison Museum, Grant Kohrs Visitor Center, and the Airport Entrance

Successful Deer Lodge: Randy Carpenter's report will be concluded by the end of June. The housing inventory will include grant opportunities, short-medium-long-term goals.

Housing Discussion: CAO Green discussed looking at potential changes to zoning including relaxing or up zoning to allow more housing within city limits, changing process to obtain conditional use permits, and allowing accessory dwelling units. He also talked about building standards (committee was in favor) and looking at the building permit fee schedule (to encourage construction and improvements).

Committee Comments or Concerns: Trent updated committee on North Gateway sign. Sign is under construction, wood beam is completed and at city shop, NW Energy will do a free line drop for services, DeSilva will place the meter (\$1,370 of \$3000 budget), and the masonry cost is expected to be \$3400.

Public works crew will do as much install as possible. Amanda asked questions about a business in town and conditional use permits.

- c. Finance Committee

No Report from Finance Chairperson.

- d. Parks and Recreation
Held an Open House on May 11th from 4-6pm. For more information and to view the Parks & Trails Master Plan, visit the link. www.stahlyprojects.com/

- e. Public Health & Safety
Received regular monthly reports from Police & Fire Departments, and Code Enforcement. The County Public Health representative submitted a written report. Reviewed e-mail follow-up from County Public Health Nurse concerning City-County meeting to include Communicable Disease and HIPPA guidelines. These communications are included in the minutes for the meeting and forwarded to County Commissioners. Schools do have different guidelines/responsibilities for reporting than for normal employers. Anthony Savalla was elected committee chairperson. Discussion held on Police Officer contract agreement for 3-year tenure, which has been sent to Legal Counsel for review.

- f. Public Works
We discussed the ROW Encroachment Permit for 1100 Hollenback Lane. After a long discussion, the Committee agreed to approve a motion to go forward with the Permit and place it on the Agenda for City Council. We also received an update from the Public Works Supervisor.

6. Board Reports

- a. Airport Board – John Skibsrud
We discussed closing out the 2017 grant. Looking at land acquisitions. Looking at a new courtesy car. Elected a new member Gary Chilcot (spelling?)

- b. Arrowstone Park – John Molendyke
No report.

- c. Chamber of Commerce – John Henderson
No Report.

- a. Headwaters RC&D – Amanda Bohrer
Grants and loans are coming in. Businesses are opening back up. Lack of people applying for work.

- e. Historic Preservation – Mary Hathaway
Steve Owens found the original documentation that Steve Guggenheimer bought. We know it as Elk Tips, it once was called EL Bonner Mercantile built in 1879. Steve gave walking tours of City Hall to the 7th grade class. 502 Main Street is still in the process. Discussed 100th anniversary newspaper article from 1984.

- f. Landfill – Anthony Savalla – Rob Kersch
Agreement was made for sledge disposal at the landfill. Board passed motion to do a feasibility study for composting project. Going to start working on the budget for next fiscal year.

- g. LEPC – Rob Kersch
No report.

- h. Library – Amanda Bohrer
On budget and staff is doing well. They are reviewing the Child Abuse Prevention Policy template. They wondered if there was a template out there that was more outlined towards a Library.
- i. Planning Board – Dick Bauman
1 CUP public hearing, 1 Rezoning public hearing both approved and recommendation to Council for approval. Received monthly reports from Economic Growth & Dev and Chamber of Commerce. Discussed Housing and Zoning Regulations. Discussed building permit fees.
- j. Youth Board – Amanda Bohrer
Senior Grad Night went well. We raised \$7,000 and the biggest donation was \$2,000 from Friend of Law Enforcement. Mr. Duncan set us up in the High School Gym, this was a perfect setup. We had 18 chaperones throughout the night. We had 19 out of 25 graduates for the entire event.

Jr High kids had an End of the Year party for 5th, 6th, 7th & 8th. There were 87 kids in attendance. Mary Hathaway ran the event and did a great job!

- 7. **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 Bohrer wondered if we were going to be back on the radio? Mayor Solle stated she will try and get ahold of them.
 - b. Mayor Solle, we are celebrating the 100th Anniversary of City Hall. There will be tours from 12-6pm of City Hall so if any of you could help that would be great! We had brochures and stickers made to hand out. We will have a video of the clock tower to run on a laptop during the City Hall Tour. There will be a float in the Parade, and we will read the proclamation from the Governor in front of City Hall.
 - c. Council President Kersch 5 Council positions are up for election including the mayor's position. Be sure to file before the 18th of June. The 21st is the actual cutoff date but try and get it in beforehand. Mayor Solle, I will not be running for Mayor again. I put an article in the paper stating this was up for election.
- 8. **Business Items - The Council will act on each item after accepting public comments.**
 - a. Treasurer's Report | May Claims - Judi Whitney. - Receive the informational report. Accept the recommendation from the Finance Committee, approve and pay the claims. Council President Kersch motioned to pay May claims as presented. Member Hathaway seconded the motion. 7 Yea's, 0 No's, 1 Absent.
 - b. Vonnie-Louise Inn CUP-CAO Green

Member Hathaway motioned to approve Vonnie-Louise Inn CUP. Member Henderson seconded the motion. The vote 7 Yea's, 0 No's, 1 Absent. Motion Passed.
 - c. B-3 District Rezoning – CAO Green

Member Hathaway motioned to approve B-3 District Rezoning. Council President Kersch seconded the motion. The vote 7 Yea's, 0 No's, 1 Absent. Motion Passed.

d. GIS Services Agreement – CAO Green

This is an agreement between Powell County and City of Deer Lodge. The GIS service will provide services in and around the city and mutual sharing of resources for operation of mapping and data management activities.

GIS Services: (a) All mapping services for all departments of the city. (b) All mailing list creation for public notices within the city. (c) All other GIS services do not substantially hinder the County's ability to perform daily tasks. In consideration of the County providing the services to the City, the City agrees to pay to the County the sum of \$30 per hour for services. Estimated annual cost roughly over 40 hours per year. This is a 3-year contract.

Member Bauman motioned to approve the GIS Service Agreement. Council President Kersch seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion Passed.

e. Municipal Elections Resolution 2021-R-7 – CAO Green

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA
ACKNOWLEDGING THE HOLDING OF MUNICIPAL ELECTIONS IN 2021.

WHEREAS the election laws for municipalities shall provide for an election to be held every odd-numbered year; and

WHEREAS the term of office of Mayor will expire on December 31, 2021; and

WHEREAS the term of office for two Aldermen in Ward 1, one Alderman in Ward 2, one Alderman in Ward 3, and one Alderman in Ward 4 of the City of Deer Lodge will expire on December 31, 2021; and

WHEREAS the individual elected as Alderman in Ward 1 (one of two) will serve a term of two years; and

WHEREAS, the individuals elected as Alderman in Ward 1 (one of two), Ward 2, Ward 3, and Ward 4 will serve terms of four years; and

NOW, THEREFORE, LET IT BE RESOLVED, that the Powell County Election Administrator conduct such municipal elections in a nonpartisan manner as governed by the State of Montana to elect the described officials for the City of Deer Lodge for the stated terms.

Council President motioned to approve Resolution 2021-R-7. Member Hathaway seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion passed.

f. ROW Encroachment Permit 1100 Hollenback Lane – Trent Freeman

This is for the Deer Lodge Medical Center constructing a new building just east of the ambulance bay. The reasoning behind the Encroachment permit is the right-of-way Hollenback Lane extends beyond the limit of the curb and gutter approximately 7-8 feet. They will be encroaching on that 4-5 feet with this new building. We went over utilities and there are no issues there. This was approved by the Public Work Committee to send to Council for approval.

Council President motioned to approve the ROW Encroachment Permit 1100 Hollenback Ln. Member Henderson seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion Passed.

g. Approval of Minutes.

a. Regular Meeting: May 17, 2021 – Member Skibsrud motioned to move to item 4a to 9g. Member Bauman seconded the motion.

Member wanted to make sure the actual dates for the election was presented correctly.

Member Skibsrud motioned to accept minutes. Member Bauman seconded the motion. Vote was 5 Yea's, 0 No's, 1 Absent, 2 abstained.

9. Old Business (Old Business or Items Tabled)

a. None.

10. Next Meeting Announcements

a. Regular Meeting June 21, 2021, at 6pm.

11. Adjournment

Mayor Solle adjourned the meeting at 6:56 PM.

Prepared By: Cyndi Thompson, City Clerk

Diana Solle, Mayor

Date

CITY OF DEER LODGE

CITY COUNCIL MINUTES

The City Council met on Monday, June 21, 2021 at 6 PM | PC Community Center

Members Present:	Dick Bauman, John Henderson, John Molendyke, Anthony Savalla, John Skibsrud, Mary Hathaway, & Amanda Bohrer
Members Absent:	Rob Kersch
Mayor:	Diana Solle
CAO:	Jordan Green
Staff:	Interim Police Chief Smith, Peter Elverum, Trent Freeman, Judi Whitney & Cyndi Thompson
Consultants	Pat Burt, Auditor
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.

a. None

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.

4. Minutes

a. Regular Meeting: June 7, 2021, Deferred till July 6th

Expenditures

a. None

5. Public Hearing.

a. None

6. Department Reports: Composed Reports are in the packets.

- a. CAO Report – Report was accepted as presented.
- b. Public Works – Report was accepted as presented.
- c. Police/Code Enforcement - Report was accepted as presented.
- d. Fire – Chief Pierson – Report was accepted as presented.

7. 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. Mayor Solle – June 19th, Capital for a Day, Territorial Days. Everything turned out great and was a big hit! We had 60 kids in and out of the youth room.

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

- a. Auditor Report – Judi Whitney

Pat Burt provided a draft of June 30, 2020, draft audit report to Council for approval.

Member Bauman motioned to accept the June 30th, 2020, audit report. Member Hathaway seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion Passed.

- b. Beverage License Acceptance – Gena's report in packet

Mayor Solle, in your packet you will find a list produced from Utility Clerk of the businesses that have renewed their beverage license and those that did not due to businesses closed or no longer carrying alcohol. I am asking for a motion to approve the beverage license renewals presented before you.

Member Hathaway motioned to approve the business license renewals that are currently in compliance. Member Bohrer seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion Passed.

- c. MPORS Resolution 2021-R-8 – CAO Green

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA, ELECTING TO PARTICIPATE IN THE MUNICIPAL POLICE OFFICERS' RETIREMENT SYSTEM (MPORS) UNDER SECTION 19-9-207, M.C.A., AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES, RESOLUTIONS AND PARTS OF RESOLUTIONS, OR CODE SECTIONS IN CONFLICT HEREWITH AND PROVIDING FOR THE EFFECTIVE DATE OF THIS RESOLUTION.

Member Hathaway motioned to approve Resolution 2021-R-8 as presented. Member Henderson seconded the motion. 5 Yea's, 2 No's, 1 Absent. Motion Passed.

- d. Police Chief Confirmation – Mayor Solle

I'd like to present George "Billie" Smith to be confirmed as Chief of Police for the Deer Lodge Police Department. Billie has been serving as interim Chief of Police the last 2 months since Gary Bender resigned. Billie was a Deer Lodge Police Officer about 3-years prior to service as a Sergeant and then most recently as the Interim Chief of Police. Billie went through an hour and a half interview for this position, and the final vote was unanimous for Billie. Billie has been presented to the Public Health & Safety and received a positive affirmation. I did offer the Chief of Police to Billie and offered him \$55,000 annual salary plus the usual Police Department benefits. I am asking for a motion and second to confirm this appointment.

Member Molendyke motioned to accept this confirmation of George "Billie" Smith as the new Chief of Police. Member Bohrer seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion Passed.

- e. Kenny Hamilton POST Certification Announcement – Mayor Solle

Officer Hamilton received his POST Certification and is our 2nd newest Officer. Congratulations to Officer Hamilton.

- f. Police Union Contract Acceptance – CAO Green and Sergeant Smith

CAO Green, Enclosed are the proposed changes that were negotiated with the Union for the Police Officers Collective Bargaining Unit Contract. This has been approved by Public Health & Safety and Finance and now needs Council Approval.

Member Savalla motioned to approve the Police Officer Union Contract as presented with an effective date of July 1, 2021. Member Henderson seconded the motion. 7 Yea's. 0 No's, 1 Absent. Motion Passed.

- g. Public Works Union Contract Acceptance – CAO Green and Trent Freeman

CAO Green, Enclosed are the proposed changes that were negotiated with the Union for the Public Works Bargaining Unit Contract. This has been approved by Public Works and Finance and now needs Council Approval.

Member Savalla motioned to approve the Public Union Contract as presented with an effective date of July 1, 2021. Member Molendyke seconded the motion. 7 Yea's. 0 No's, 1 Absent. Motion Passed.

- h. Ordinance 2021-2– **1st Reading** – CAO Green

AN ORDINANCE BY THE DEER LODGE CITY COUNCIL TO REZONE SEVERAL PROPERTIES IN DEER LODGE FROM THE B-1, CENTRAL BUSINESS DISTRICT TO THE B-3, NEIGHBORHOOD COMMERCIAL DISTRICT.

Deer Lodge City Council hereby rezones the properties identified above from the B-1, Central Business District to the B-3, Neighborhood Commercial District, to accommodate more appropriate commercial uses at the properties.

Member Hathaway motioned to approve the 1st reading, Ordinance 2021-2. Member Molendyke seconded the motion. 7 Yea's. 0 No's, 1 Absent. Motion Passed.

- i. Ordinance 2021-3 – **1st Reading** – CAO Green

AN ORDINANCE BY THE DEER LODGE CITY COUNCIL TO REZONE 802 FOURTH STREET (28-1578-04-2-25-11-0000) FROM THE R-2, RESIDENTIAL SINGLE-FAMILY AND MANUFACTURED HOME DISTRICT TO THE B-1, CENTRAL BUSINESS DISTRICT.

Deer Lodge City Council hereby rezones the 802 4th Street (28-1578-04-2-25-11-0000) from the R-2, Residential Single-family and Manufactured Home District to the B-1, Central Business District, to accommodate the construction of a retail greenhouse on the property.

Member Savalla motioned to approve the 1st reading, Ordinance 2021-3. Member Hathaway seconded the motion. 7 Yea's. 0 No's, 1 Absent. Motion Passed.

j. Building Permit Fee Schedule - CAO Green

Several of the City Committees, as well as City Staff, also believe the cost of Planning Applications restricts the flexibility of development in our City. These fees, which are meant to cover purely administrative costs, act as barriers to site-specific development which may act as the highest and best use of the land. I have talked to several people who have decided to not apply for Conditional Use Permits or Variances because of the high fees associated with them, especially since the fee is not a guarantee that Planning Board, the Board of Adjustments, or City Council will even permit the proposed development. The applications still require administrative oversight and approval by these groups, so these proposed fee reductions will not impact the ability of the City to manage development responsibly. We should consider reducing these fees as the revenue to the City is negligible, but the impact on community residents and developers is substantial.

Review Measures

The success of the program will be reviewed between December 15th – December 31st, 2021 based on the following criteria. If the criteria are met, the program should be reconsidered for extension into 2022 or in perpetuity.

1. In increase of 25% in the number of building permits for renovations applied for from the same period (July-December) last year.
2. A downward trend throughout the 2021 calendar year of the ratio of # of Stop Work Orders per # of Building Permits per month.
3. Follow-up interviews with the Building Inspector, Dan Green, and the Utility Billing Clerk, Gena Micu, to gauge their perception of the community's support of the program, willingness to work with the City to receive necessary permitting, and overall demeanor in dealing with City Staff.

Member Bohrer motioned to approve Deer Lodge Season of Building Permit Fee Reduction. Member Savalla seconded the motion, 7 Yea's, 0 No's, 1 Absent. Motion passed.

k. Approve ARPA Funds for Capital Improvement Projects – CAO Green

ARPA stands for American Rescue Plan Act. There are 3 outdated spots 1 which is a Competitive Grant that we'll be applying for several of them. The other is the Local Recovery Fund, which come straight from the Federal Government and disburse via state. On the excel spreadsheet you can see that for the City of Deer Lodge. The City will be receiving \$728,768 of local recovery funds spread over 2-years. We have received \$364,384, this is our 1st year allocation. Of that money there a couple specific projects that are presented to you today and to Council tonight for infrastructure that we wanted to use some of that money to match for some of the other pots of money. The reason this is brought to you today is the Competitive Grant applications are due July 15th.

There are some projects, that are our big city projects. The ones we are asking approval on is water supply, and the wastewater sludge funds. So, \$125,000 for the water supply will be used as a match for the minimum allocation. It requires a 25% or a 1 to 1 match, whichever is less and for us we could receive up to \$607,125 from that and for our project we will be using \$125,000 of our local recovery funds to receive \$500,000 from those pot B funds from the state as a 25% match. And those two things together \$625,000 will be used to apply for a competitive grant for the well project. I did speak with the engineers and that estimated cost for the \$2,100,000 for the well is based on previous engineer reports that put our well 6 miles out at mastodon site. But we also have another site in mind that is about ½ block away from the city, We don't expect that cost to be more than \$1,100,000 to \$1,200,000. We will roughly have a 50% match of our coronavirus relieve funds to match the competitive grant and hopefully pay for the whole project

just with the coronavirus relief funds. So, we will need to allocate \$125,000 of our \$364,384 that we get as our 1st pot of money for ARPA relief to apply for both pot B from the state and pot C the competitive grant process.

We are asking for approval to spend \$125,000 to receive the other 2 pots of money to pay for our well project.

The wastewater collection and stormwater issue we are not presenting approval of funds this time. The wastewater collection is the I&I project that we currently received \$625,000 of other grant monies. So, we will be using that money to apply for the competitive grant project for another \$475,000. Stormwater issue we are tabling that one till we decide what we want to do with it. We plane on applying for a BRIC grant through FEMA as additional funding. So, we will revisit that at a later time.

The wastewater sludge of \$200,000 is included in the Public Works budget. This is to pay for drying matts, the movement of the sludge from the wastewater treatment plant out to the landfill. So, we are asking for \$100,000 of those funds from the local recovery fund to supplement and pay for 50% of that project and free up some money in the PW budget and make the budget a little nicer.

This was approved and recommended from Finance to Council. What we are asking for from Council for approval is \$125,000 of the local recovery fund for the water supply well project and \$100,000 for the wastewater sludge project which will leave us \$139,384 left in our coronavirus stimulus money that we can use for any of the other purposes we desire.

Member Savalla motioned we approve \$125,000, Pot A from the local recovery fund for the water supply project. Member Bohrer seconded the motion. 7 Yea's, 0 No's, 1 Absent. Motion passed.

Member Savalla motioned we approve \$100,000 from the local recovery fund for the wastewater sludge project. Member Bohrer seconded the motion, 7 Yea's, 0 No's, 1 Absent. Motion passed.

- I. ARPA Allocation Discussion – CAO Green – No minutes, discussion only.

9. Old Business (Old Business or Items Tabled)
None.

10. Next Meeting Announcements
July 6, 2021, at 6pm.

11. Adjournment
Mayor Solle adjourned the meeting at 7:32PM.

Prepared By: Cyndi Thompson, City Clerk

Diana Solle, Mayor

Date