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# CITY OF DEER LODGE

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# COUNCIL AGENDA

November 15, 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. Approval of Minutes**

Regular Meeting: November 1, 2021

**4. Public Hearing:**

a. None

**5. Department Reports:**

a. CAO | b. Public Works | c. Police | d. Code Enforcement | e. Fire

**6. 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.

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

**8. New Business Items:** The Council will act on each item after accepting public comments.

- a. City Title Review 10, 11, & 15 - CAO Green and Council President Kersch
- b. DEQ Brownfield Grant Program – CAO Green
- c. Child Abuse Prevention Policy – Mayor Solle
- d. John & Dorothy Wilson Skate Park – CAO Green

**9. Next Meeting Announcement(s)**

a. Regular Meeting – December 6, 2021, at 6PM

**10. Adjournment**

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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](mailto:cthompson@cityofdeerlodgemt.gov) | 406.846.2238

# CITY COUNCIL

# MINUTES

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The City Council met on November 1, 2021, at 6 PM | City Hall Council Chambers

<b>Members Present:</b>	Dick Bauman, Amanda Bohrer, Mary Hathaway (arrived late), Robert Kersch, Anthony Savalla, John Henderson & John Molendyke
<b>Members Absent:</b>	John Skibsrud
<b>Mayor:</b>	Diana Solle
<b>CAO:</b>	Jordan Green
<b>Staff:</b>	Police Chief Smith, Trent Freeman, Judi Whitney, Peter Elverum, Cyndi Thompson
<b>Consultants</b>	Headwaters Joe Willauer, Julie Jaksha & Kelly Sullivan
<b>Guests:</b>	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.**

a. None

**3. Special Agenda Item**

a. Headwaters Overview – Speakers: Joe Willauer, Julie Jaksha & Kelly Sullivan

Headwaters RC&D is a 501c(3) non-profit focused on improving the economic and social well-being of the Southwest Montana region through conservation, development, and proper use of natural and human resources. From aiding in the creation of a business plan to providing technical assistance to community groups, Headwaters RC&D is improving the economic and social well-being of the Southwest Montana region through conservation, development, and proper use of natural and human resources. We provide technical assistance for natural resource, community development, and economic development projects and programs. Headwaters RC&D members represent local city and county governments, conservation districts, and other interested parties.

Food & Agricultural Development Center, Headwaters is part of a statewide network that provides assistance in food and value-added agricultural product development, marketing, and farm-based energy development.

With centers in Joliet, Havre, Ronan, Bozeman, Great Falls, Wolf Point and Butte, the network focuses on adding value to existing agricultural resources within Montana.

We work to support economic development by ensuring that more of the state's food, agricultural and energy dollars circulate in Montana by keeping more of our agricultural products within the state by processing them locally.

The organization consists of an overall Board of Directors and five resource committees. For more information visit: [www.headwatersrcd.org](http://www.headwatersrcd.org)

Work Force Coalition program: If you could create a business, product, or service, what would it be? Headwaters RC&D is inviting students in grades 7-12 to dream about launching their own business, product, or service.

The BOSS (Building Our Students Success) Business Plan Competition is a part of Headwaters RC&D Workforce Coalition's initiative to promote entrepreneurship in Southwest Montana's youth. Students will be competing for a cash prize donated by Headwaters RC&D and our participating industry partners.

To compete in the BOSS Business Plan Competition students must be in grades 7-12 and live in one of the following counties: Silver Bow, Deer Lodge, Beaverhead, Granite, Powell, Jefferson, or Madison. For more information visit: [www.headwatersworkforce.org](http://www.headwatersworkforce.org)

Headwaters RC&D Area, Inc., offers the following services:

- Grants Administration
- Organizational Development
- Consensus Building
- Small Business Technical Assistance
- Small Business Development Center
- Small Business Administration Loan Packaging
- Finance Programs
- Revolving Loan Funds
- Technical Assistance for Board/ Committee Approved Projects
- Homebuyer Education Classes
- Entry Level Training for Entrepreneurs
- Information and Education

#### **4. Public Hearing.**

- a. 215 Kentucky St Conditional Use Permit – CAO Green, Action Item: Vote on approval of CUP.

CAO Green stated Jacob Hershaw, of the business "HACRS" Automotive Repair Shop, and of 215 Kentucky Street, submitted a Conditional Use Permit application on September 23, 2021. The petitioner is seeking permission to have a Major Home Occupation operate out of the garage at the 215 Kentucky St property to house his auto shop business, HACRS. The parcel is in Deer Lodge in the Kading Subdivision, Section 33, Township 08N, Range 09W, Lot 2, 130 X 100 & an irregular tract. The parcel is in the R-2, Single Family and Manufactured Home District of the City of Deer Lodge Zoning Ordinance. This Occupation would be a temporary solution while the petitioner searches for another location to house his business. The City of Deer Lodge Zoning Ordinance requires the issuance of a Conditional Use Permit for all Major Home Occupations in residential districts.

The City Administrator sent out 9 letters to adjacent property owners for to ask for comments for the Conditional Use public hearing. There have been no responses at the time of this staff report to the Conditional Use application letters. The Silver State Post ran the required public hearing notice in their October 6<sup>th</sup> and October 13<sup>th</sup> editions. There has been no remonstrance to this petition since the public notices have been legally given.



A public hearing for the Conditional Use Permit Application will be held for the Planning Board on October 18, 2021. The second public hearing for City Council will be held November 1, 2021, should the Planning Board give a favorable recommendation to City Council.

Recommendations: The Planning Board sends a favorable recommendation of the CUP application subject to the following considerations:

- The property remains adherent to the provisions of the City of Deer Lodge Zoning Ordinance requirements for a Major Home Occupation.
- The applicant makes all efforts to restrict noise, dirt, dust, and automotive contaminants from leaving the property boundary.
- The applicant alerts the City of Deer Lodge of any changes to the use of the parcel and get the City's written permission that the changes remain adherent to the provisions of the City of Deer Lodge Zoning Ordinance.

Public Hearing opened at 6:28PM.

No public comments were made.

Public Hearing closed at 6:29PM.

Member Savalla motioned to approve the 215 Kentucky St Conditional Use Permit. Council President Kersch seconded the motion. 6 Ayes, 0 No's, 2 Absent. Motion passed.

b. Marijuana Dispensary Zoning and Local Regulations – CAO Green, Action Item: Vote on Ordinance 2021-9.

CAO Green stated on September 20, 2021, The City of Deer Lodge Planning Board voted to hold a public hearing to obtain comments regarding a proposed amendment to the City of Deer Lodge Zoning Ordinance to add adult-use providers of marijuana and marijuana-infused products (hereby referred to as dispensaries) as a conditional use in the B-2, Highway Business District. The Planning Board also voted to hold a public hearing regarding adoptions of requirements referenced in 16-12-101 through 16-12-533 of the Montana Code Annotated. These requirements, which include restrictions on locations in town for dispensaries and a local government's authority to regulate, would be adopted in place of the City of Deer Lodge's existing and outdated Ordinance #144. Lastly, the Planning Board voted to hold public hearing on the requirement of the issuance of a local Zoning Permit for a dispensary to operate as a conditional use in the B-2 District. However, it should be noted that 16-12-207, MCA requires that dispensaries are not located within 500 feet and on the same street as any building used exclusively as a church, synagogue, or other places of worship or as a school or postsecondary school other than a commercially operated school. Planning Board recommends that the distance be 1000 feet and strike the wording "on the same side of the street".

The Planning Board recommend the following provisions to the City Council regarding the regulation of dispensaries in the city limits of Deer Lodge:

- Place dispensaries and adult-use marijuana providers as a conditional use in the B-2, Highway Business District.
- Pass an ordinance that:
  - Replaces and repeals the provisions of Ordinances #130,136,140, and 144 with new and updated language that more holistically regulates marijuana in Deer Lodge.
  - Requires the issuance of a zoning permit for the issuance of a state dispensary license and the approval of a conditional use permit, pursuant to 16-12-207(ii).



- o Adopts the provisions of 16-12-101 through 16-12-533 as requirements for the issuance of the above for dispensaries in the jurisdictional limits of Deer Lodge.

Public Hearing opened at 6:49PM

Council President Kersch asked about a section in City Code, Title 11 under General Provisions it states, In all cases Federal, State, County, and local laws shall take priority over the provisions of this document in the event of a conflict between any applicable laws and the provisions of this document. With marijuana being regulated federally does that apply.

CAO Green stated it specifically references in the state level with the opt in opt out requirements since the county did vote for the initiative 190 that does take precedence in that regard.

Member Molendyke asked where does that leave us with regulating the type of marijuana business and the number of marijuana businesses.

CAO Green stated the type of marijuana businesses is what we want to keep control of. The number of them there was nothing that the Planning Board recommended to limit the number of them beside the actual proximity and the use location they can be in. City Council and the Planning Board would retain authority over any potential business we want to come to town through the Conditional Use Permit process.

Council President Kersch stated the 2020 Montana Initiative 190 legalize marijuana election results are 51.8% 1,632 yes votes, and 48.2% 1,521 no votes.

Member Bohrer referenced previous minutes from 2020 that a dispensary would not be allowed as it is controlled at a federal level.

Public hearing opened 6:49PM.

Members of the public concern was the location of a dispensary in the B-2 Business District, the distance from schools, churches, and parks. Limiting the dispensary businesses in town. Distance of dispensaries from daycares and parks need to stay in the wording.

Members of the public stated the safety of our youth and having a dispensary in town would cause more problems with our youths wanting to use the product.

Member of the public stated the vote on 190 passed and the council should listen to what the voters wanted.

Member of the public provided documentation from the CDC about marijuana and how it can affect the youth.

Public hearing closed at 7:29PM

Member Bohrer stated marijuana facts she had researched and how it will a negative impact on our youth.

Council President Kersch stated he agreed with member Bohrer and the public not wanting this in our town.

Member Hathaway stated she was against having a dispensary in town.

Chief Smith stated there were 3 minors high (intoxicated) at the school where the product did come from a dispensary in Butte so having one in town will only make it more acceptable to the youth.

Member Savalla stated he was against having a dispensary in town.

Council President Kersch motioned to table Ordinance 2021-9 and in favor of a new Ordinance forbidding all items under Montana Code Annotated (MCA) 16-12-207. Member Savalla seconded the motion. 7 Aye's, 0 No's, 1 Absent. Motion passed.

## **5. Approval of Minutes.**

- a. Regular Meeting: October 18, 2021  
Member Bauman motioned to approve as presented. Member Bohrer seconded the motion. 7 Aye's, 0 No's, 1 Absent.

## **6. Committee Reports – Accepted as presented.**

- a. Council Ops – Rob Kersch (Chairperson)  
No report-no meeting
- b. Finance – Dick Bauman (Chairperson)  
We approved the Brookside Final Pay Estimate, reviewed, and signed the October claims.
- c. Economic Growth & Development – Mary Hathaway (Chairperson)  
We discussed updates from Discover Deer Lodge and Chamber. No updates from Successful Deer Lodge, Prison Museum. Charter Government Discussion. Upcoming Grant opportunities.
- d. Parks & Recreation - Amanda Bohrer (Chairperson)  
No report-no meeting
- e. Public Health & Safety – Anthony Savalla (Chairperson)  
We reviewed the monthly reports from PD, FD, Code Enforcement and County Health. We discussed the iWorQ software program, discussed the junk vehicle program. Still working on updates from Mr. Kimerly on Hotel Deer Lodge.
- f. Public Works – John Molendyke (Chairperson)  
We approved the Brookside final pay estimate. CAO Green provided the Public Works monthly report.
- g. Planning Board -Amber Brown (Chairperson) Dick Bauman (Council)  
Discussed CUP at 215 Kentucky and a lengthy discussion about dispensaries. Discussed the 5.7 acres at JC Park and not selling the land.

## **7. Board Reports**

- a. Airport Board – John Skibsrud  
Member Skibsrud was absent – no update
- b. Powell County Parks Board – John Molendyke  
Discussed the final sign review for Old Yellowstone Trail, discussed parking and toilets. Johnson Creek Trail we discussed signage and cost estimate for gravel.

- c. Chamber of Commerce – John Henderson  
Chamber Banquet is tomorrow night. Discussed the 12 Days of Christmas and the upcoming Christmas Stroll, with a possible hayride. Discussed the Design/Build a Snowman competition.
- d. Headwaters RC&D – Amanda Bohrer  
They hold their meetings quarterly. Gave an update on The Boss program from Headwaters.
- e. Historic Preservation – Mary Hathaway  
No meeting – no report
- f. Landfill – Anthony Savalla  
The manager gave a landfill update. Looking into a new wireless service provider. Created a new subcommittee to help with facilitate between the Landfill Board and the Landfill workers for some of the many tasks they have out there.
- g. LEPC – Rob Kersch  
No meeting – no report
- h. Library – Amanda Bohrer  
No report as I was out of town
- i. Youth Board – Amanda Bohrer  
No meeting – no report – Gave an update on the Halloween dance for 4<sup>th</sup> -12<sup>th</sup> grades. Winter Ball will be December 3<sup>rd</sup> and December 4<sup>th</sup> at the Christmas Stroll we will have a table making ornaments at the Elks Lodge. And Mrs. Kersch is heading up the Princess project where kids can get free ballgowns.

**8. Continued Business** (old/continued Business or Items Tabled)

- a. Ordinance 2021-8 Adopting the R-5 Zoning: 2<sup>nd</sup> Reading – CAO Green

Member Bohrer titled Ordinance 2021-8.

**AN ORDINANCE BY THE DEER LODGE CITY COUNCIL ADDING A NEW CHAPTER 19, R-5 NORTHSIDE RESIDENTIAL DISTRICT, TO THE CITY OF DEER LODGE ZONING ORDINANCE AND AMENDING THE CURRENT CHAPTER 19 AND SUBSEQUENT CHAPTERS WITH UPDATED CHAPTER NUMBERS**

Member Bohrer motioned to approve Ordinance 2021-8 2<sup>nd</sup> reading. Member Bauman seconded the motion. 7 Aye's, 0 No's, 1 Absent. Motion passed.

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

- a. Treasurer's Report | October Claims - Judi Whitney. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.

Member Bauman motioned to approve October claims as presented. Member Savalla seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

- b. Final Brookside Pay Estimate – Trent Freeman



Member Molendyke motioned to approve the final Brookside Pay Estimate as presented. Council President Kersch seconded the motion. 7 Aye's, 0 No's, 1 Absent. Motion passed.

~~c. Titles 10,11,15 Review – CAO Green and Council President Kersch  
Tabled item till next council meeting November 15, 2021.~~

Member Bohrer motioned to table titles 10,11, 15. Council President Kersch seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

**10. Schedule of Committee Meetings – Tentative until confirmed by Committee Chairs.**

- Board of Adjustment – No Meeting
- City Council Operations – November 8<sup>th</sup> at 5 PM
- Economic Growth & Dev – November 3<sup>rd</sup> at 1 PM
- Finance – November 1<sup>st</sup> at 3PM
- Historic Preservation – TBD at 6PM
- Parks and Recreation – November 9<sup>th</sup> at 4 PM
- Planning Board – November 15<sup>th</sup> at 10AM
- Public Health & Safety – November 10<sup>th</sup> at 5 PM
- Public Works – November 23<sup>rd</sup> at 5 PM

**11. 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 discussed the skate park offer that was presented to the city.
- b. CAO Green asked any committee members not using their tablet can they please turn those into City Hall.

**12. Next Meeting Announcements**

- a. Regular Meeting: November 15, 2021, at 6pm.

**13. Adjournment**

Mayor Solle adjourned the meeting at 8:10PM.

Prepared By: Cyndi Thompson, City Clerk

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Diana Solle, Mayor

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Date

# CITY OF DEER LODGE

## CAO REPORT

### November 2021

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#### PROJECT SUMMARIES

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##### **2021-2022 Budget**

- Rural Fire District contract still in renegotiation process. Met Friday 11/12/21.

##### **City Planning**

- Titles 1-15 have been amended at Committee level and ready for review.
- Planning Board processing one Conditional Use Permit Application.
- Successful Deer Lodge: received rough working draft of Successful Deer Lodge Community Profile from Randy Carpenter.
- Received quote for arborist work from Nitro Green and have forwarded to MMIA. Will have contract soon.
- Working with Hospital and Morrison-Maierle on maintaining City ROW through Hospital land. Getting survey exhibits drafted.
- Attending MLCT and DOR discussions concerning dispensary local zoning and regulations.
- Working with public works and County Parks Board on providing signage and improved trail system for Johnson Creek Connector Trail.

##### **Grants**

- Successfully submitted CDBG Planning Grant Application.
- Had meeting with LWCF Grant Administrator for park sprinklers. We have decided not to pursue application due to the ramifications of the grant award criteria. Will be looking for other funding opportunities.
- DES Homeland Security grant will be opening later this year for upgrades to City security camera system. Grant cycle ends in March 2022. Received feedback from security camera company on possibility of using ARPA funds and am continuing research to this matter. Have a site walkthrough 11/23/21 for installation specifications.
- FEMA PDM grant buy/sell is signed and ready to close. Will schedule asbestos inspection and removal at 233 5<sup>th</sup> St before closing date.
- Stahly is working on sign design ideas for the Tourism Grant kiosk project.
- Economic Growth & Development Committee discussing ARPA use goals.
- Planning on applying for BRIC grant once the cycle opens up later this year.
- Headwaters RC & D wrote several grant applications for the city, including brownfields and a CDBG grant.

##### **City Hall & Employees**

- iWorQ code enforcement and building permitting software up and running and is being used by City Staff.

- Gary Thompson has been working on getting historical building permits into iWorQ system until he is able to restart work on public works crew.

### **Floodplain Administration**

- Received first draft of new floodplain boundaries from DNRC. So far, very minor changes to floodplain boundaries in Deer Lodge. City should expect final updated maps in 2025.
- NorthWestern Energy has completed their bore under Clark Fork for Conley Ave bridge replacement.

### **Economic Development**

- Applying for a Rural Reimagined grant with County Planning Director and Extension to aid in local business education.
- Processed a few contractors' business licenses this month and a major home occupation.
- Big Sky Passenger Rail Authority applying for grant to start project to get passenger rail feasibility studies done in region. Sent Letter of Support.
- I am a member of two Headwater's workforce committees which have been meeting monthly. We are working on economic development information handouts for both businesses and employees in SW Montana, which will soon be available.
- Working on several housing projects in Deer Lodge.
- Working with Bonneville Power Administration on potential substation lease.
- Will be attending stakeholder meetings for 2022 pageant planning.

### **INTEREST ITEMS FOR CITY COUNCIL**

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- See Report

### **COVID-19 RESPONSE**

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*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

### October/November 2021

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#### PROJECT SUMMARIES

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##### **Street Maintenance**

- Asphalt Patching
- Pothole Patching
- Sign Removals and Installation
- 2022 PASER Project street quantities sent to Stahly to start preparing bid documents

##### **Sewer Utility**

- Manhole lid poured and placed for the Conley St. Bridge Replacement Project
- New mini excavator arrived along with most of the attachments
- Locate sewer utilities on Conestoga and at Elk Tips

##### **Parks and Rec**

- Parks help done for the season

##### **Water**

- Replace broken and/or outdated curb stops
- Flushing water mains
- Flow Testing Fire Hydrants
- Adjust water valves for the Conley St. Bridge Replacement Project
- Locate water utilities on Conestoga and at Elk Tips
- Replaced two Fire Hydrants

##### **Solid Waste**

- Nothing to report

##### **Mosquito Abatement**

- Nothing to report

#### INTEREST ITEMS FOR CITY COUNCIL

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- Crew participated in the wood haul for the community
- Attended Montana Department of Ag Training in Helena for insecticide/pesticide control
- Attended Fall Water School in Bozeman

#### COVID-19 RESPONSE

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*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

Council Report

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**October 2021**

**Total Records: 184**

911 Call Total: 3  
Alarm: 1  
Animal Calls: 9  
Assist Other Agency: 4  
Citizen Assist: 1  
Civil Standby: 3  
Courtesy Ride Total: 4  
Disabled Vehicle Total: 1  
Disturbance Total: 5  
Domestic Violence: 2  
Drug Paraphernalia Found Total: 2  
DUI Total: 1  
Endangering the Welfare of Children Total: 1  
Fire - Other Total: 1  
Gun Fire Total: 1  
Juvenile Problem Total: 2  
Missing Person(s) - Adult Total: 1  
Motorist Assist Total: 1  
Probation Officer Check Total: 6  
Property Found Total: 1  
Reckless Driving Total: 3  
Ambulance Assists Total: 4  
Request Officer Total: 10  
Request to Speak to Officer Total: 2  
Scam - Phone Total: 1  
Suspicious Activity Total: 1  
Suspicious Person(s) Total: 3  
Theft Total: 3

Threat(s) Total: 1  
Traffic Accident - Fatal Total: 1  
Traffic Accident: 3  
Traffic - Complaint Total: 2  
Traffic Stop Total: 76  
Trespass to Property Total: 2  
Unsecure Premises Total: 2  
Unwanted Person(s) Total: 3  
Unwanted Phone Call(s) Total: 1  
Vandalism Total: 2  
VIN Inspection Total: 3  
Wanted Person Total: 1  
Welfare Check Total: 7

**39 Citations Issued**

Partner or Family Member Assaults: 2  
MIP: 3  
Assault: 4  
Possession of Drug Paraphernalia: 3  
Criminal Possession of Drugs: 1  
DUI: 2  
Criminal Mischief: 2  
Resisting Arrest: 1  
Disorderly Conduct: 1  
Criminal Trespass: 1  
Criminal Contempt: 1  
Traffic: 18



# CODE COMPLIANCE REPORT

October 2021

## HIGHLIGHTS

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- 14 calls of dogs at large. 1 dead, two citations written
- 6 dog licenses issued
- 6 stop work orders out, all recipients purchased building permits.

## PROJECT SUMMARIES

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- 22 verbal warnings with copies of city code given or posted at residence, 46 closed.
- 1 letter sent out; Representative from Travel Lodge Corporate is here addressing issues. New pictures taken, ongoing case.
- California Ave breezeway is now clear of vehicles. Property owner is still working on grass, trash, and debris. Two trailers full are to go to dump. Neighboring lot cleared and mowed.
- 9 residences spoken to about being hooked up to City Sewage and/or water. It was explained that power is not a city issue and water only temporarily to fill tanks. It is not allowed to have sewage hooked up to residential line at all, it over taxes the system.
- 1 RV dweller spoken to about dumping grey water into creek. (Stopped immediately) and got a special permit while house is being built to be using sewage/water from residence.
- 1 RV dweller hooked up to old lines where house burnt down and has special permit.

## INTEREST ITEMS FOR CITY COUNCIL

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- Community worker finished Nelson creek, Cottonwood creek, Travel lodge hill, and picked up trash along roadways.
- Huge construction box left by crew after Cottonwood Apartments completed gone.
- Volunteers helped clean up at second street address due to medical issue with property owner. Camper moved off street also.
- Community workers will be sweeping main street and picking up trash throughout Deer Lodge. If there is an area of concern, please call me. 594-0911

## STAFFING CONCERNS

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- Truck is going into shop. Engine light came on and the lights are not working on passenger side.





# FIRE DEPARTMENT REPORT

OCTOBER 2021

## **HIGHLIGHTS**

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- 3 total calls:
  - 1 grass fire at Mile Marker 179. Very small and was out when we arrived.
  - 1 grass fire at Mile Marker 194. About 100 yards long on the shoulder. We had it out fast.
  - 1 Structure fire at a local business. It burned some structure and equipment components and was controlled by the installed sprinkler system before we got there. The crew cleared smoke and chased down hot spots for a while.

## **INTEREST ITEMS FOR CITY COUNCIL**

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- Fire prevention day went off without a hitch in the grade school. As always it was enjoyed by kids and adults alike.
- At our November meeting we will be receiving training from MSU Fire Training for forcible entry into commercial buildings.

**CITY OF DEER LODGE**

**RECREATION DEPARTMENT**

**POLICIES  
FOR STAFF AND VOLUNTEERS**

November 12, 2021

**Policies** define the bandwidth of acceptable behavior in an organization. Because offenders often violate policies to gain access to minors, when employees know and understand policies, they can identify, interrupt, and report policy violations. Simply interrupting a policy violation can prevent a false allegation of abuse or put an offender on notice that no one works in private, the rules apply to everyone, and violations will be detected. A copy is available to all parents, if requested.

#### Policies appendix

- P1 Adult abuse of Youth
- P2 Youth abuse of youth
- P3 Review of Abuse Prevention Policies
- P4 Physical contact between Staff and Youth
- P5 Verbal contact between Staff and Youth
- P6 Alone staff member with alone youth
- P7 Staff and Youth Outside Program Interaction
- P8 Electric Communications Staff - Youth
- P9 Pornography
- P10 Cell phone use by staff
- P11 Allegations
- P12 Legal and Ethical Duty of Reporting
- P13 Lack of Cooperation in Investigation
- P14 Agreement to policies and signatures.

[Staff refers to hired and volunteers.]



**P1.**

**PROHIBITING THE ABUSE OR MISTREATMENT OF YOUTH**

City of Deer Lodge Recreation Department specifically prohibits the abuse of mistreatment of youths. Smoking, vaping, THC, illegal drugs, or alcohol for youths and adults are prohibited during any recreation activities. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

**P2.**

**PROHIBITING ABUSE OR MISTREATMENT OF ONE YOUTH BY ANOTHER YOUTH.**

City of Deer Lodge Recreation Department specifically prohibits the abuse of mistreatment of one youth by another youth. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

**P3.**

**ANNUAL REVIEW OF ALL YOUTH ABUSE PREVENTION POLICIES FOR RELEVANCE, UTILITY, AND NECESSITY, AND MODIFIES OR RESCINDS AS APPROPRIATE, AND ALL STAFF ARE SYSTEMATICALLY NOTIFIED OF CHANGES AS THEY ARE IMPLEMENTED.**

City of Deer Lodge Recreation Department periodically review of policies and routinely announces policy changes at staff meetings and during training sessions.

## DEFINING APPROPRIATE AND INAPPROPRIATE PHYSICAL CONTACT BETWEEN STAFF AND YOUTHS.

City of Deer Lodge Recreation Department specifically defines appropriate and inappropriate physical contact with youths. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

Our physical affection policy includes:

### Appropriate physical contact:

- Side hugs
- Shoulder-to-shoulder or 'temple' hugs
- Pats on the shoulder or back
- Handshakes
- High-fives and hand slapping
- Verbal praise
- Pats on the head when culturally appropriate
- Touching hands, shoulders, and arms
- Arms around shoulders
- Holding hands (with young children in escorting situations)

### Inappropriate physical contact:

- Full-frontal hugs
- Kisses
- Showing affection in isolated areas
- Lap sitting
- Wrestling
- Piggyback rides
- Tickling
- Allowing a youth to cling to an employee's or volunteer's legs.
- Any type of massage given by or to a youth.
- Any form of affections that is unwanted by the youth or the staff.
- Compliments relating to physique or body development.
- Touching bottom, chest, or genital areas
- Any physical contact related to irritation, reprimand, or punishment. NO hitting, slapping, spanking, etc.
- No inappropriate dress that could cause extreme, offensive, revealing, or distracting exposure.

**DEFINING APPROPRIATE AND INAPPROPRIATE VERBAL INTERACTIONS  
BETWEEN STAFF AND YOUTH.**

City of Deer Lodge Recreation Department specifically defines appropriate and inappropriate verbal interaction between staff and youths. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy. Our verbal interactions policy includes examples of:

Appropriate verbal:

- Positive reinforcement
- Appropriate jokes  
(Do not include discriminatory/  
explicit wording or  
Meaning.)
- Encouragement
- Praise

Inappropriate verbal interactions:

- Name-calling
- Secrets
- Cursing
- Off-color or sexual jokes
- Shaming
- Belittling
- Derogatory remarks
- Discussing sexual encounters or  
in any way involving youths in  
the personal problems or issues  
of staff.
- Harsh language that may  
frighten, threaten, or humiliate  
youths.
- Derogatory remarks about the  
youths or his/her family.

## **MANAGING THE RISK WHEN ONE STAFF MUST BE ALONE WITH ONE YOUTH**

City of Deer Lodge Recreation Department strongly avoid programs and circumstances where a staff member is alone with one youth. Sometimes this is unavoidable or occurs unexpectedly. Our staff know that they are not permitted to be alone with a youth except under authorized circumstance. Our written policy specifically defines how to manage risk when a staff member must be alone with one youth. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

Our one-on-one interactions policy includes the following information:

- When meeting one-on-one with a youth, always do so in a public place where you are in full view of others.
- Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high-fives, and handshake.
- If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.
- Inform other staff and volunteers that you are alone with a youth and ask them to randomly drop in.
- Document and immediately report immediately to staff any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted. Staff will report such incidents immediately to Chief Administrative Officer.



**GOVERNING INTERACTIONS BETWEEN STAFF AND YOUTH OUTSIDE OF  
REGULARLY SCHEDULED PROGRAM ACTIVITIES**

City of Deer Lodge Recreation Department does not hold responsibility for interactions between staff and youth outside of regularly scheduled program activities. However, the city does provide recommendations for these interactions as guidance.

Our recommendations for interactions outside of program activities include:

Appropriate Outside Contact

- Taking groups of youths on an outing
- Attending sporting activities with groups of youths
- Attending functions at the youth's home, with parents present

Inappropriate Outside Contact:

- Taking one youth on an outing with or without the parents' written permission
- Visiting one youth in the youth's home, without a parent present
- Entertaining one youth in the home of staff or volunteer
- One youth spending the night with staff or volunteers

## GOVERNING ELECTRONIC COMMUNICATION BETWEEN STAFF AND YOUTH

City of Deer Lodge Recreation Department includes guidelines about the use of electric communication, such as cell phone, text messages, electronic emails and social networking sites between staff and youth. The policy is communicated in writing and verbally to all staff, and staff know and can verbally describe the policy.

Our electronic communications policy includes:

### Appropriate Communications

- Sending and replying to emails and text messages from youths ONLY when copying in a supervisor or the youth's parent.
- Communicating through "organization group pages" on Facebook or another approved public forum.
- Private profiles for staff that youth cannot access or befriend.

### Inappropriate Communications:

- Harsh, coercive, threatening, derogatory, intimidating, shaming, demeaning or humiliating conversations.
- Sexually oriented conversations.
- Posting pictures of organization participants on social media sites.
- Posting comments on pictures.
- Friending participants on social networking sites.

**PROHIBING STAFF FROM ACCESSING, DISPLAYING, OR POSSESSING  
INAPPROPRIATE INFORMATION OR PORNOGRAPHY ON THE  
ORGANIZATION'S PROPERTY OR EQUIPMENT.**

City of Deer Lodge Recreation Department prohibits the access, display, production, possession, or distribution of pornography on the organization's property or equipment, or during any organization-associated activity. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

**P10**

**ADDRESSING STAFF CELL PHONE USE WHILE ON DUTY.**

City of Deer Lodge Recreation Department prohibits the use of cell phones by staff while on duty except when necessary to accommodate unique circumstances that are specified in advance. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

Acceptable situations of cell phone use include:

- Field Trips
- Emergencies

**P11**

**EVERY ALLEGATION OF ABUSE IS TAKEN SERIOUSLY AND THAT IT WILL COOPERATE FULLY WITH THE AUTHORITIES.**

City of Deer Lodge Recreation Department specifically states that we take every suspicion or allegation of abuse seriously and that we will cooperate fully with authorities. Every allegation will be reported to Chief Administrative Officer and Deer Lodge Police Department, who will be required to investigate in a timely manner. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

**P12**

**REQUIREMENT OF NEW STAFF TO READ AND SIGN A STATEMENT INFORMING THEM OF THEIR LEGAL AND ETHICAL DUTY TO REPORT SUSPECTED ABUSE.**

City of Deer Lodge Recreation Department requires all new staff to read and sign a statement informing them of their duty to report suspected child abuse. The policy is communicated in writing and verbally to all staff, and staff know and describe the policy.



**P13**

**STAFF TO SIGN A STATEMENT INDICATING THAT THEY WILL COOPERATE FULLY WITH ANY INVESTIGATION AND THAT FAILURE TO DO SO MAY BE GROUNDS FOR TERMINATION.**

City of Deer Lodge Recreation Department requires all new staff to read and sign a statement indicating that they will cooperate fully with any investigation and that failure to do so may be grounds for termination. The policy is communicated in writing and verbally to all staff, and staff know and can describe the policy.

**P14**

**STAFF TO SIGN A STATEMENT INDICATING THAT THEY HAVE READ AND AGREE TO COMPLY WITH ALL ORGANIZATION POLICIES.**

City of Deer Lodge Recreational Department requires all staff to sign this statement that they have read and agree to comply with all our organization's policies. All volunteers and staff agree to a background check to be completed by the volunteer using Sterling Volunteers.com at a cost of \$19, which the volunteer or staff will be responsible for paying themselves. The City of Deer Lodge will keep a copy of the signed statement on file in the City Clerk's office.

Signatures:

\_\_\_\_\_  
Staff/Volunteer                      Date

\_\_\_\_\_  
Recreation Department Director    Date