



COUNCIL AGENDA

Monday, December 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. Cutler Bro's Lodging Conditional Use Permit Application – CAO Green
Action Item – Vote on approval of Condition Use Permit
- b. Title 4 – CAO Green - Action Item – Vote on 1st Reading of Ordinance 2021-10
- c. Title 8 – CAO Green- Action Item – Vote on 1st Reading of Ordinance 2021-12
- d. Title 9 – CAO Green- Action Item – Vote on 1st Reading of Ordinance 2021-13
- e. Title 10 – CAO Green -Action Item – Vote on 1st Reading of Ordinance 2021-14
- f. Title 11 – CAO Green - Action Item – Vote on 1st Reading of Ordinance 2021-15
- g. Title 15 – CAO Green -Action Item – Vote on 1st Reading of Ordinance 2021-16

Approval of Minutes

- a. Regular Meeting: November 15, 2021

4. Committee Reports (report in the packet) – Approve as presented

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

5. Board Reports

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

6. Continued Business (Continued or Tabled)

- a. Marijuana Regulation Discussion– CAO Green

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

- a. Treasurer’s Report | November Claims - Judi Whitney. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.
- b. Board Appointments – Mayor Solle
- c. Public Work’s Truck Repair – Trent Freeman
- d. Ordinance 2021-11: Title 7 1st Reading – CAO Green

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

- Board of Adjustment – No Meeting
- City Council Operations – December 13th at 5 PM
- Economic Growth & Dev – December 1st at 1 PM
- Finance – December 6th at 3PM
- Parks and Recreation – December 14th at 4 PM
- Planning Board – December 20th at 10AM (if needed)
- Public Health & Safety – December 9th at 5 PM
- Public Works – December 28th at 5 PM

11. 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.

12. Next Meeting Announcement(s)

- a. Regular Meeting December 20, 2021, at 6 PM.

13. Adjournment

**Deer Lodge City Council meets in the PC Community Center
416 Cottonwood Ave, Deer Lodge, MT 59722
For Further Information Contact: Cyndi Thompson, City Clerk
cthompson@cityofdeerlodgemt.gov | 406.846.2238**

CITY COUNCIL

MINUTES

The City Council met on Monday, November 15, 2021, at 6 PM | PC Community Center

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

- a. Public comment was Code Enforcement citations should drop off after 6 months and not stay on the record.

3. Approval of Minutes

- a. Regular Meeting: November 1, 2021. Page 6, Historic Preservation, they did have a meeting, they did not have a quorum.

Member Hathaway motioned to approved minutes as amended. Member Bohrer seconded the motion. 6 Ayes, 0 No's, 1 Abstained, 1 Absent. Motion passed.

4. Public Hearing.

- a. None

5. **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 - Report was accepted as presented.
 - d. Code Enforcement - Report was accepted as presented.
 - e. Fire Department– Report was accepted as presented.

6. **Mayor & Council Concerns:** (ONLY Concerns that are not on Business Items). This is a time when Council Members or Mayor can bring a concern before the Council that is not otherwise listed on the Agenda. NO action can be taken at this time. If action is necessary, the item is put on the next meeting agenda.
 - a. Member Bohrer brought up a suggestion for the volunteer firefighters. When the fire alarm goes off and the volunteers are rushing to get to the fire hall, they sometimes get caught behind traffic and the citizens are unaware they are rushing to the firehouse in their personal vehicles. Suggestion was to purchase Traffic Advisor Light Bars or a Code Blue Police Light for the volunteers.

 - b. CAO Green notified the Council that the City Treasure Judi Whitney is retiring after 11 ½ years of service. Her last day is March 25, 2022.

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

8. **New Business** (Old Business or Items Tabled)
 - a. City Title Review 10, 11, & 15 - CAO Green and Council President Kersch
 - i. Council President Kersch presented the changes in Title 10 Vehicles and Traffic in a Title 10 summary. CAO Green stated this will be available at City Hall and on the City's website for viewing.

Member Bauman motioned to approve Title 10 Vehicles and Traffic for a Public Hearing. Member Bohrer seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

 - ii. Council President Kersch and CAO Green discussed the changes in Title 11 Zoning. CAO Green stated this will be available at City Hall and on the City's website for viewing. Council President Kersch stated Title 11's name will change to "Land Use/Zoning."

Member Hathaway motioned to approve Title 11 Zoning for a Public Hearing. Member Henderson seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

 - iii. CAO Green presented the changes in Title 15 Building and Construction. CAO Green stated this will be available at City Hall and on the City's website for viewing.

Member Bauman motioned to approve Title 15 Building and Construction for a Public Hearing. Member Henderson seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

b. DEQ Brownfield Grant Program – CAO Green

CAO Green stated Brownfield is a site that was exposed to contamination by previous uses. The DEQ approached the City/County to apply for a grant through the EPA to do planning for the City and County Brownfield. County has the Roundhouse site and the Passenger Refueling site. DEQ would write this grant for us if we choose to accept it. They will get \$20, 000 from the EPA, and Headwaters agreed to match \$20,000. DEQ will contract a planning organization to come in to hold public meetings, speak to the experts, about what the community wants to do with these different sites. The result will be a document that expresses a vision for the locations and provide more avenues for receiving grant money should you ever want to do those sites. The passenger refueling area is being cleaned up next spring/summer. The county is waiting on feedback on the Roundhouse site to when they can get that cleaned up.

DEQ stated they are flexible with the scope of work that the county can always choose another Brownfield site should that site not be feasible. After speaking with the county and the new county planner on this subject, the county commissioners have agreed to move forward with DEQ and Headwaters on this project and they are just waiting on city approval. Should the city choose to follow through and accept this, its no cost to us, Headwaters and Brownfield DEQ pay all of it we get a nice document at the end, and they would start work next October.

I am asking for council approval for DEQ Brownfield to apply for the grant on our behalf and partner with the county on it.

Member Hathaway stated, Economic Growth & Development approved this in our meeting.

Member Skibsrud stated, so in the end all we get is a document?

CAO Green stated, that is correct, but having this document can open more doors for applying for more grants.

Member Bohrer asked, why do they want to do this?

CAO Green stated, The have been working on brownfield sites throughout the state choosing areas they want to work in, and they identified Deer Lodge has having a lot of Brownfield sites and this is the next spot they want to go to.

Member Bohrer asked, so this document they crate will have the communities input noted in there?

CAO Green, yes that is correct.

Council President Kersch motioned to approve the DEQ Brownfield Grant Program. Member Bohrer seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

c. Child Abuse Prevention Policy – Mayor Solle

Mayor Solle presented the Child Abuse Prevention Policy to the committee. This has been reviewed by, 4-H, MMIA, Montana League of Cities and Towns, Parks & Rec, and the City Attorney. There is a website for the volunteers to do complete a background check for \$19.00, at the volunteers' expense and signature page that will be filed with the City Clerk.

Committee members discussed the verbiage in the policy, the volunteers paying for their own background check, the city should be paying for this cost. How long the background check is good for? This booklet reads more as a summary document and not a policy.

Mayor Solle stated, should there be corrections to the policy that the council is requesting it needs to be emailed to the CAO and the corrections given to the City Attorney for legal review before this can be presented.

Member Bauman motioned to table the Child Abuse Prevention Policy till further council comments are received and City Attorney reviews the council changes. Member Henderson seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

d. John & Dorothy Wilson Skate Park – CAO Green

CAO Green stated we were approached by two benefactors; one is local, and one is a Montana native. They would like to put a \$200,000 skate park in the City of Deer Lodge. This is no cost to the city as long as they have a lot to put it on. Thru discussion at other committees and staff we determined that the JC Cabin is the best location. Demolish the old JC Cabin through a couple ways and put the skate park there. Some of the things the committees discussed was forwarded on to these people was on site security cameras and bathrooms. As recommendation from Member Skibsrud, use the old JC Cabin for fire training. The Fire Chief is in favor of doing this and will work on the permitting. There will be no increase to our insurance. Spoke with the neighboring landowners and are in favor of the skate park. The JC Cabin has no historical value to it.

Mayor Solle stated, should this be approved, it will be called The John & Dorothy Skate Park.

Member Skibsrud asked about drainage. CAO Green stated, yes there will be drainage.

Member Henderson motioned to approve the skate park as presented. Member Bohrer seconded the motion. 7 Ayes, 0 No's, 1 Absent. Motion passed.

9. Next Meeting Announcements

- a. December 6, 2021 at 6PM.

10. Adjournment

Mayor Solle adjourned the meeting at 7:00PM.

Prepared By: Cyndi Thompson, City Clerk

Diana Solle, Mayor

Date