



COUNCIL AGENDA

March 6, 2023 - 6 PM

The City Council will hold the meeting in the Council Chambers at City Hall
300 Main Street
Deer Lodge, MT 59722

1. **Call Meeting to Order | Pledge of Allegiance**
2. **Public Comment** – Members of the audience may comment on any non-agenda items. State Statute limits the City Council from discussing any introduced items. 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: February 27, 2023
5. **Committee Reports - Report accepted as presented.**

a. City Council Operations – Rob Kersch	d. Public Health & Safety – Rob Kersch Joseph Callahan
b. Finance Committee – Dick Bauman	f. Public Works – Gordon Pierson
c. Economic Growth & Development – John Henderson	
6. **Board Reports**

a. Airport Board – Gordon Pierson	f. Landfill – Rob Kersch
b. Powell County Parks Board – Dick Bauman	g. Local Emergency Planning Committee – Dick Bauman
c. Chamber of Commerce – John Henderson	h. Library – John Molendyke
d. Headwaters RC&D – Joseph Callahan	i. Planning Board – Dick Bauman
e. Historic Preservation – Curt Fjelstad	j. Youth Board – Jackie Greenwood
7. **Continued Business (Continued or Tabled)**
 - a. None
8. **New Business - The Council will act on each item after accepting public comments.**
 - a. Treasurer's Report | February Claims – Stanley Glovan. Receive the informational report. Accept the recommendation from the Finance Committee and approve the claims.
 - b. Beast-mowed Lawn Care Park Maintenance – Trent
 - c. Police Server Cloud Transition – Chief Smith and Jordan
 - d. Ordinance 2023-3: 2nd Reading, Codify New American Legal Code of Ordinances – Jordan
 - e. Rate Increase – Jordan & Trent

- f. St Mary's Street One-way Section – Jordan & Trent
- g. Stop Sign at Sagebrush & Maverick Lane – Jordan & Trent

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

- Economic Growth & Dev – March 8th at 4 PM
- Finance – March 6th at 4PM
- Public Health & Safety – March 8th at 5 PM
- City Council Operations – March 13th at 5 PM
- Planning Board – March 20th at 10AM
- Council #2 – March 20th at 6 PM
- Public Works – March 28th 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: March 20, 2023 at 6PM

12. Adjournment

**Deer Lodge City Council meets at City Hall
300 Main Street, 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 February 27, 2023, at 6 PM | City Hall, Council Chambers

Members Present: John Henderson, John Molendyke, Jackie Greenwood, Dick Bauman, Rob Kersch, Curt Fjelstad, Joseph Callahan

Members Absent: Gordon Pierson

Mayor: James Jess

CAO: Jordan Green

Staff: Cyndi Thompson, Stan Glovan, Kody Ryan, Fire Chief Pierson, Peter Elverum

Consultants Andy Fisher, Project Manager Clark Fork Coalition

Guests: See sign in sheet

1. Call Meeting to Order | Pledge of Allegiance.

Mayor Jess 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. Member of the public: Are we getting the best deal on the police sever purchase? Was this put out for bid? What is the status of the Gary Chilcot plan?

3. Approval of Minutes

- a. Regular Meeting: January 17, 2023, and February 6, 2023

Council President Bauman motioned to approve minutes as presented. Member Henderson seconded the motion. 7 Ayes, 0 No, 1 Absent. Motion passed.

4. Public Hearing.

- a. Bielenberg Lot 4 Rezoning and Conditional Use Permit Application Public Hearing – Jordan
 - i. Action Item: Vote on Approval of Rezoning and Conditional Use Permit

Robert and Vickie Fugle submitted a Rezoning Application and a Conditional Use Permit Application on January 6, 2023, to request a rezoning of their property at Lot 4 of the Woodward Minor Subdivision in Deer Lodge from the R-1, Residential Single-Family District to the R-2, Single Family and Manufactured

Home District and to permit the lot as a Conditional Use to accommodate the placement of a 40-foot by 60-foot personal storage shed. Currently, new storage sheds are only allowed in the R-2 Zoning as a Conditional Use – no other zoning districts allow new storage sheds in any capacity. The property is located in Section 03, Township 07 North, Range 09 West, Lot 4 of the Woodward Minor Subdivision, as shown on Plate #C-503 as recorded with the Powell County Clerk and Recorder. The lot is 0.677 acres and is bordered to the east by Interstate 90, the west by residential lots zoned as R-1, and the north and south by undeveloped lots. Currently the lot is undeveloped and is not addressed.

City Administration recommends the Planning Board recommend to City Council the rezoning of the subject property from the R-1 Residential Single-Family District to the R-2, Single Family and Manufactured Home District and to permit the lot as a Conditional Use to accommodate the placement of a 40-foot by 60-foot personal storage shed. City Administration recommends the Planning Board and City Council adopt the provision that the shed must only be used for personal storage and not as a commercial business, as a commercial business would further impact transportation networks and would not be aligned with the intent of residential zoning.

Council asked about site line, shed should be referred to as a building and not a shed as a shed is movable and this will be a permanent foundation.

Public Hearing Opened at: 6:18pm

- i. One member of the public is in favor of this build as she lives directly across from where the building will be placed.

Public Hearing Closed at: 6:20pm

Member Callahan motioned to approve Bielenberg Lot 4 Rezoning and Conditional Use Permit Application. Member Kersch seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

- b. 619 Kentucky Street Major Home Occupation Public Hearing – Jordan
 - i. Action Item: Vote on Approval of Major Home Occupation

Christopher Miner of 619 Kentucky Street submitted a Conditional Use Permit application on January 31, 2023, seeking permission to have a Major Home Occupation operate out of a garage at the property to perform low-volume automotive repair services.

The operation of a low-volume automotive repair services garage has the potential to affect nearby properties. The noise associated with work, the potential for soil and groundwater contamination, the presence of vehicles and vehicle parts, and the increased traffic to the site are all issues that need to be addressed. Therefore, the City Planner recommends many conditions be attached to approval of this Conditional Use Permit Application, which are outlined in the Recommendation section of this staff report. These steps will mitigate the potential for adverse impact on nearby properties and are based on the requirements for a Major Home Occupation found in the City of Deer Lodge Zoning Ordinance, requirements of previous and similar Major Home Occupations that have been approved by the City Council, and testimony from the petitioners to the City Planner.

The City Administrator sent out 18 letters to adjacent property owners for to ask for comments for the Conditional Use public hearing. There has been one favorable written response at the time of this staff report, and 3 more in favor letters followed after staff report.

The business sign is larger than three square feet as recommended by the Planning Board. Recommendation is Council to approve the larger sign (pictures of sign provided).

Public Hearing Opened at: 6:36pm

- i. Public comment was in favor of the CUP application.

Public Hearing Closed at: 6:37pm

Member Kersch motioned to approve 619 Kentucky Street Major Home Occupation with the recommended recommendations and the larger business sign as presented. Council President Bauman seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

5. Department Reports: *Composed Reports are in the packets. Reports accepted as presented.*

a. CAO | b. Public Works | c. Police | d. Fire | e. Recreation Report

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 Greenwood expressed her concerns on the purchase of the PD server. Have we researched cost, and complete details of the server, i.e., size, type, location, etc.

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

- a. None

8. New Business: *(Old Business or Tabled Items)*

- a. Fire Department Appointment: Robert Ray – Mayor Jess
Member Greenwood motioned to approve the appointment of Robert Ray to the DL Fire Department. Member Henderson seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.
- b. Police Department Appointment: Jason Kinsey – Mayor Jess
Member Greenwood motioned to approve the appointment of Jason Kinsey to the DL Police Department. Council President Bauman seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.
- c. Library Board Reappointment: ~~Kathy~~ Warner Bair – Mayor Jess
Council President Bauman motioned to approve the reappointment of Warner Bair to the Library Board. Member Molendyke seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.
- d. Modify Terms of 2022 Deer Lodge Valley Conservation District Appointments – Mayor Jess
Amendments to the appointment and expiration dates of Jeff McQueary and John Thompson as Urban Supervisors for DL Valley Conservation District. The appointments were approved with the consent of

the City Council in 2022. However, in order to align these two individual's terms with the expirations of the other 5 officers and keep all seven terms staggered appropriately. I hereby amend the appointments of Jeff McQueary and John Thompson so that both individual's terms end on December 31, 2025.

Member Greenwood motioned to approve Jeff McQueary and John Thompson of the Deer Lodge Valley Conservation District Appointments to end on December 31, 2025. Member Fjelstad seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

- e. Ordinance 2023-3: Codify New American Legal Code of Ordinances – Jordan

Member Kersch titled Ordinance 2023-3

AN ORDINANCE BY THE DEER LODGE CITY COUNCIL ENACTING A CODE OF ORDINANCES FOR THE CITY OF DEER LODGE, REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY OF DEER LODGE DEALING WITH SUBJECTS EMBRACED IN SUCH A CODE OF ORDINANCES.

Member Kersch motioned to approve the 1st reading of Ordinance 2023-3 as presented and to change the date on 1.00.010 OFFICIAL CODE. Council President Bauman seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

- f. Resolution 2023-R-1: Resolution in Support of an Abstract Submission by the Clark Fork Coalition to the 2023 Update of the Upper Clark Fork River Basin Aquatic and Terrestrial Resources Restoration Plans – Jordan

Per Mayor Jess, Item f. on agenda was recommended to be moved to item a. Member Kersch motioned to approve the move of item f. to item a. Member Henderson seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

Per Andy Fisher, Project Manager, Clark Fork Coalition. The purpose of this restoration concept proposal is to enhance the ecological functions of Cottonwood Creek within the town of Deer Lodge, MT. Cottonwood Creek experienced a 100-year flood event in 2011, which resulted in significant damage to the riparian habitat through Deer Lodge. This large flood event caused massive erosion in places and resulted in significant damage to the existing vegetation and bank stability. The City and County have spent the past seven years building new bridges, revising their floodplain maps, and acquiring flood-prone lands along the urban creek corridor. The City and County now own nine properties along the floodplain. This creates an excellent opportunity to improve riparian habitat and instream habitat diversity in addition to maintaining floodplain functions. Through this project CFC aims to improve riparian habitat, water quality, and aquatic habitat in the Upper Clark Fork watershed by enhancing habitat along Cottonwood Creek (a priority 2 stream area).

Deer Lodge City Council deems it is in the best interest of the Deer Lodge Community as well as for the ecological health of Cottonwood Creek to support the effort of the Clark Fork Coalition to submit an abstract to the Montana Natural Resources Damage Program.

Council President Bauman titled Resolution 2023-R-1

A RESOLUTION BY THE DEER LODGE CITY COUNCIL SUPPORTING THE SUBMISSION OF AN ABSTRACT BY THE CLARK FORK COALITION FOR COTTONWOOD CREEK TO THE 2023 UPDATE OF THE UPPER CLARK FORK RIVER BASIN AQUATIC AND TERRESTRIAL RESOURCES RESTORATION PLANS AS OVERSEEN BY THE MONTANA NATURAL RESOURCES DAMAGE PROGRAM.

Council President Bauman motioned to approve Resolution 2023-R-1 as presented. Member Kersch seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion passed.

9. Next Meeting Announcement:

- a. Regular Meeting – Monday March 6, 2023, at 6pm in City Hall

10. Adjournment

Mayor Jess adjourned the meeting at 7:32PM.

Prepared By: Cyndi Thompson, City Clerk

James Jess, Mayor

Date



COUNCIL COMMITTEE REPORT

FEBRUARY 2023

Economic Growth & Development – John Henderson (Chairperson)

February 1st - Continued Business; Banners – We will study current banners to get the process going, Jordan will look for grant for someone to create a mural. Committee 5-year Goals (1) Business Improvement District, (2) Branding of Deer Lodge, (3) Trails, (4) Housing, (5) Annexation Committee Comments or Concerns; Jordan provided updates on the Growth Policy Preliminary Survey, Discover Deer Lodges building construction, Jordan informed the committee on Capturing Tourism Dollars in the Local Economy workshop and a plan to purchase a Historic Building Plaque For City Hall. Next meeting is scheduled for March 1st 2023, at 4:00 PM

Finance – Dick Bauman (Chairperson)

February 6th - January minutes were approved as read. There was not a member from the public present. Lawn care was discussed with Public Works Director and tabled for further information. Updated Police Server was reviewed and recommended to Council for approval. January claims were approved and passed on the Council for approval and payment. Next regular meeting March 6 at 4pm.

Public Health & Safety – Interim Chair Rob Kersch Joseph Callahan (Chairperson)

February 8th - Received regular reports for Fire Dept. , Police Dept., County Health, and Code Enforcement. Reviewed draft ordinance 2022-3 Marijuana Business Zoning and Regulations.

Council Ops – Rob Kersch (Chairperson)

February 13th - Reviewed changes to Title 2. Reviewed and recommended changes to Title 7.

Public Works – Gordon Pierson (Chairperson)

February 28th - Elected Gordon Pierson as Chairperson. Sent Rate Increase to Finance to make a final decision. Discussed and approved St Mary's Street One-Way Section sent recommendation to Council. Approved Stop sign at Sagebrush and Maverick with recommendation to Council. Completed committee's 5-Year Goals. Received Public Work update. Staff & Committee Comments; Member Henderson mentioned a Cremation Wall at the Cemetery.

City Council - March 6, 2023

Financial Summary

February 2023

Atypical Revenues	Purpose	Fund	Amount
Nothing to report			\$0.00
Completed Projects	Grant Funded	City Funded	Final Cost
Nothing to report			\$0.00
Atypical Claims	Purpose	Fund	Amount
Nothing to report			\$0.00

Payables			
		Claims	\$125,396.38
		Payroll	\$141,792.81
		Total	\$267,189.19

A motion to approve payment of the claims is requested.

CITY OF DEER LODGE
Claims by Vendor Report
For the Accounting Period: 2/23

Vendor Name	Claim #	Date Accepted	Amount
AMAZON	11544	03/01/23	\$203.53
AMERICAN LEGAL PUBLISHING CORP.	11525	02/15/23	\$493.00
CENTER POINT LARGE PRINT	11543	03/01/23	\$49.14
CENTURY LINK	11521	02/15/23	\$85.10
CHARTER COMMUNICATIONS	11540	03/01/23	\$184.92
CITY OF DEER LODGE ASSIGNEE	11499	02/08/23	\$190.27
COMMUNICATION RESOURCES, LLC	11508	02/08/23	\$358.28
CORE & MAIN LP	11511	03/01/23	\$1,635.84
CULLIGAN OF BOZEMAN - BUTTE	11509	03/02/23	\$194.90
DAVID G. RAY	11537	03/01/23	\$100.00
DEMCO	11542	03/01/23	\$87.27
ELVERUM LAW FIRM, PLLC	11538	03/01/23	\$5,491.14
ENERGY LABORATORIES, INC.	11502	03/01/23	\$2,758.00
FICKLER OIL CO.	11528	02/17/23	\$89.22
GIRKY, ELISSA	11545	03/01/23	\$144.00
IN CONTROL, INC.	11548	03/02/23	\$7,237.39
J&D TRUCK REPAIR, INC.	11531	02/17/23	\$261.38
JOHNSON & ASSOCIATES, INC.	11520	02/15/23	\$85.00
KELLEY CONNECT	11503	03/01/23	\$823.21
KOHR'S MEMORIAL LIBRARY - PETTY CASH	11546	03/01/23	\$127.44
LES SCHWAB	11504	03/01/23	\$1,166.90
LIBRARYWORLD, INC.	11532	02/21/23	\$495.00
LICKETY PRINT	11514	02/09/23	\$408.50
LOCAL GOVERNMENT SERVICES	11529	02/17/23	\$260.00
MMCT & FOA	11515	02/15/23	\$50.00
MONTANA BROOM & BRUSH SUPPLY	11505	03/01/23	\$626.50
MONTANA DEPARTMENT OF CORRECTIONS	11530	02/17/23	\$425.00
MONTANA DEPARTMENT OF ENVIRONMENTAL QUAL	11526	02/15/23	\$1,000.00
MONTANA DEPARTMENT OF ENVIRONMENTAL QUAL	11527	02/17/23	\$3,000.00
MONTANA DEPARTMENT OF TRANSPORTATION	11534	02/23/23	\$200.00
MONTANA LEAGUE OF CITIES AND TOWNS	11536	03/01/23	\$187.50
NAPA AUTO PARTS	11500	03/01/23	\$2,135.72
NORTHWEST PIPE FITTINGS, INC.	11516	03/01/23	\$9,054.45
NORTHWESTERN ENERGY	11535	02/27/23	\$27,106.20
OFFICE SOLUTIONS, INC.	11539	03/01/23	\$103.25
PITNEY BOWES, INC.	11517	02/15/23	\$720.00
PRECISION GARAGE DOOR LLP	11512	02/09/23	\$150.00
R & C LUMBER, INC.	11510	03/01/23	\$163.35
ROME ENTERPRISES 027545	11501	03/01/23	\$385.39
SILVER STATE POST	11550	03/02/23	\$873.45
SOUTHWEST SEPTIC AND TOILETS	11513	02/09/23	\$360.00
STAHLY ENGINEERING & ASSOCIATES, INC.	11506	03/01/23	\$9,853.25
STAPLES CREDIT PLAN	11523	02/15/23	\$549.38
THATCHER COMPANY	11551	03/02/23	\$2,690.00
TRITECH SOFTWARE SYSTEMS	11519	02/15/23	\$1,025.17
UNIVISION, INC.	11507	02/15/23	\$1,071.10
UPS	11495	02/21/23	\$120.00
US BANK COMMUNITY CARD	11547	03/02/23	\$3,649.35
USDA RD LOAN #92-01	11492	02/15/23	\$15,765.00
USDA RD LOAN #92-02	11493	03/01/23	\$4,075.00
USDA RD LOAN #92-04	11494	02/17/23	\$11,886.00
UTILITIES UNDERGROUND LOCATION CENTER	11549	03/02/23	\$7.71
VERIZON WIRELESS SERVICES, LLC	11522	02/15/23	\$846.33
WEX BANK	11498	03/01/23	\$4,387.85
			<u>\$125,396.38</u>

ESTIMATE

Beast Mowed Lawncare LLC

302 Kohrs Street
Deer Lodge, MT 59722
(406) 285-1227



To:
Trent Freeman
300 main street
Deer Lodge, MT 59722

Estimate # 9885
Estimate Date 02/06/2023
Total Amount \$42,000.00

Item	Quantity	Price	Tax1	Tax2	Line Total
Grass Cutting	24.0	\$1,400.00			\$33,600.00
Spring Cleanup	1.0	\$4,200.00			\$4,200.00
Fall Cleanup	1.0	\$4,200.00			\$4,200.00
Subtotal:					\$42,000.00
Tax:					\$0.00
Total Amount:					\$42,000.00

Notes

Trent per our discussion. A complete mowing of the parks would be \$2800. This includes all of Jaycee Park as well as West Side Park. City Crews will make sure that the parks are Watered. Mowing Trimming and Care of the Infields will be done by Beast Mowed. Spring and Fall Cleanup of Leaves are billed at 1.5 X the cost of a Normal Mowing. Because of the State of the Parks and Current Watering methods it was decided that the parks be put on a Bi-weekly Schedule instead of weekly for this first year. The above quote assumes that we are mowing 1/2 of the total area of the parks every week for what should be approximately a 26 week season. Fertilizer and Weed control are out of scope. Until we get a better method for applying water and a thicker stand of grass we all felt that money would be better spent getting sprinklers installed and we can evaluate next steps in the Fall or next spring.

Sold To

Deer Lodge Police Department
George Smith
300 Main Street
Deer Lodge, MT 59722

Phone 406-846-9585
Fax

Ship To

Deer Lodge Police Department
George Smith
300 Main Street
Deer Lodge, MT 59722

Phone 406-846-9585
Fax

Your Sales Rep

Owen Goble
(406) 550 1282
oweng@univisioncomputers.com

Here is the quote you requested.

Qty	Description	Unit Price	Ext. Price
uniCLOUD Hosting			\$120.00

- 1 uniCLOUD Virtual Server Hosting - DC01
Tier 2 Virtual Windows Server
(4) RAM, GB
(2) vCPU Cores
Virtual Disk, 100GB, STD
High Availability, Declined
Backup, Daily, 2 Week Retention
- 1 uniCLOUD Virtual Router Hosting -
Tier 2 Virtual Router
(2) RAM, GB
(2) vCPU Cores
Virtual Disk, 20GB, STD
High Availability, Declined
Backup, Daily, 2 Week Retention
Static IP Address
- 1 uniCLOUD Internet Bandwidth, Per MB

NOTE: uniCLOUD service billing starts when the environment is provisioned which may be prior to your go live date.

Velocity Complete Remote - Managed Services

1 Servers	\$99.00	\$99.00
1 Network Location	\$50.00	\$50.00
Monthly Recurring Total		\$149.00

Qty	Description	Unit Price	Ext. Price
Professional Services			
	Professional Services:	\$150.00	\$2,400.00
	-Setup virtual PFSense router		
	-Setup one site-to-site VPN into office		
	-Setup virtual Domain Controller in UniCLOUD		
	- Install Domain Controller, DNS, DHCP roles		
	- Configured Domain Controller, DNS, DHCP roles		
	- Migrate FSMO roles to new DC		
	- Reconfigure DNS on DHCP for new DC		
	- Reconfigure DNS on all other Servers & Static Devices		
	- Decommission Old DCs		
	- Conduct Metadata, DNS, ADSI cleanup of old DCs		
	-Sharepoint		
	- Configure Sharepoint environment		
	- Setup file structure with client contact		
	- Copy designated Company Shared Network Folders to Sharepoint		
	- Configure Server GPOs for Sharepoint Auto Deployment		
	- Configure Sharepoint Security settings based on client collaboration		
	- Create tutorial for Users		
NOTE: This is a fixed price quote. Any changes to the scope of work may result in additional charges			
*There is an Old SWIFT installation on this server that is understood to no longer be in use, we will backup the data and store it on the External HDD, just in case there is ever a need for that data, but the current SWIFT system that is in use is over at PSCO.			
	One Time Services		\$2,400.00
Total			

Customer Authorization

Please contact me if I can be of further assistance.

Monthly Recurring Fee:	\$269.00
Hardware & Services Purchases Subtotal:	\$2,669.00

This Quote, and all services provided pursuant to this Quote, are governed under the terms of the Master Services Agreement ("MSA"). If applicable, this Quote is further defined by statements of work ("SOW"), which provide additional terms, conditions, and descriptions of the services provided. By accepting this Quote, you accept all of the terms of the MSA and any applicable SOWs. The MSA and SOWs are located at <https://legal.univisioncomputers.com>. If you cannot access the MSA or SOWs, or you do not agree with the terms of the MSA or SOWs (if applicable), then you should not sign this Quote and you should contact us for more information.

Accepted By: _____ Date: _____

Unless otherwise addressed in this proposal above, the following payment terms and conditions apply.

All orders are subject to shipping charges where Univision is unable to negotiate free shipping arrangements with our vendors. Where applicable those shipping charges will be added to your invoice.

A 3% convenience fee will be applied to credit card payments exceeding \$2,000.00.

Pre-payment requirements.

For customers without established credit terms, 100% pre-payment is required upon placing an order.

For customers with established credit terms, pre-payment of 50% is required on all orders above \$5,000.00. The customer will be invoiced remaining outstanding balances once product arrives and/or work begins.

ORDINANCE 2023-3

AN ORDINANCE BY THE DEER LODGE CITY COUNCIL ENACTING A CODE OF ORDINANCES FOR THE CITY OF DEER LODGE, REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE CITY OF DEER LODGE DEALING WITH SUBJECTS EMBRACED IN SUCH A CODE OF ORDINANCES.

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

WHEREAS, the present general and permanent ordinances of the City of Deer Lodge are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety, and general welfare of the City of Deer Lodge and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Montana empower and authorize the City of Deer Lodge to revise, amend, restate, codify, and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the City Council of the City of Deer Lodge has authorized a general compilation, revision, and codification of the ordinances of the City of Deer Lodge of a general and permanent nature and publication of such ordinance in book form.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER LODGE, MONTANA:

Section 1. The general ordinances of the City of Deer Lodge as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the City of Deer Lodge, Montana."

Section 2: Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

Title 1: General Provisions

Title 2: Administration and Personnel

Title 3: Finance and Revenue

Title 4: Sewer and Water

Title 5: Business Licenses and Regulations

Title 6: Reserved

Title 7: Health and Welfare

Title 8: Animals

Title 9: Public Peace, Safety and Morals

Title 10: Vehicles and Traffic

Title 11: Land Use

Title 12: Streets and Sidewalks

Title 13: Franchise

Title 14: Public Ways and Property

Title 15: Buildings and Construction

Section 3: All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plate or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subject not contained in or covered by the Code.

Section 4: Such code shall be deemed published as of the day of its effective date upon adoption and approval by the City Council of the City of Deer Lodge and the City Clerk of the City of Deer Lodge is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.

Section 5: Such Code shall be in full force and effect upon its effective date and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties, and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 6: SEVERABILITY. If any selection, subsection, sentence, clause, phrase, or word of Ordinance 2023-3 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance 2022-5 and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or words have been declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Passed and Approved by the City Council of the City of Deer Lodge, Montana on the first reading at a Regular Council Meeting on the 27th day of February, 2023.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman Council President	X			
Joseph Callahan	X			
Curt Fjelstad	X			
Jackie Greenwood	X			
John Henderson	X			
Robert Kersch	X			
John Molendyke	X			
Gordon Pierson				X
James Jess Mayor				

James Jess, Mayor

Attest:

Cyndi Thompson

Cyndi Thompson, City Clerk



Passed and Approved by the City Council of the City of Deer Lodge, Montana on final reading at a Regular Council Meeting on the 6th day of March, 2023.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman Council President				
Joseph Callahan				
Curt Fjelstad				
Jackie Greenwood				
John Henderson				
Robert Kersch				
John Molendyke				
Gordon Pierson				
James Jess Mayor				

James Jess, Mayor

Attest:

Cyndi Thompson, City Clerk

The effective date of Ordinance 2023-3 is April 7, 2023.

City of Deer Lodge Fee Schedule

LEGEND

- *: Fees marked with an asterisk are set by resolution.
- #: Fees marked with a pound sign are set by ordinance and cannot change without a City Code Title Change.
- !: Fees marked with an exclamation point are not clearly defined.
- ^: Fees marked with a caret are being set by resolution, but there is also an ordinance description.
- ~: Fees marked with a tilde are not defined in City Code but are implied to exist.
- @: Fees marked with an at sign are bond-satisfaction rates and should not be changed

TITLE 1: GENERAL PROVISIONS

- ❖ Fees, Licenses, or Permits: None
- ❖ Fines/Penalty: Title 1 GENERAL PROVISIONS: Chapter 1.08: GENERAL PENALTY contains the basis for all Fines that are not specifically identify in the City Code of Deer Lodge.

1.08.010: GENERAL PENALTY

- A. Whenever in any provision of this Code or other ordinance of the City any act is prohibited or is made or declared to be unlawful, a misdemeanor or an offense, or whenever in any such provision or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is otherwise provided therefor, any person upon conviction for the violation of any such provision of this Code or ordinances shall be punished by a fine not exceeding five hundred dollars (\$500.00) for the first or second like violation or in the event of a third or subsequent like violation by imprisonment not to exceed six (6) months or by both such fine and imprisonment, for each such offense.
- 1. Each day any violation of any ordinance shall continue, shall constitute a separate offense.
 - a. Provisions for first, second, third, or subsequent violations described in A. above do not apply in the event of a continuation of offense as described in A.1. above.
- B. In the construction and interpretation of this section, the revocation of a license or permit shall not be considered as a recovery or penalty so as to bar any other penalty being enforced.

(Ordinance 1 – 1/17/1980: Effective 1/17/1980)

1.08.020: EXECUTION OF A FINE.

- A. If the judgment is for a fine alone, execution may issue thereon as on a judgment in a civil case.
- B. A judgment that the defendant pay a fine may also direct that he be imprisoned until the fine be satisfied, in the proportion of one day's imprisonment for every ten dollars (\$10.00) of the fine.

TITLE 2: ADMINISTRATION AND PERSONNEL

- A. No Fees, Licenses, Permits, or Fines

(Ordinance 2019-6 – 08/19/2019: Effective 08/19/2019)

TITLE 3: REVENUE AND FINANCE

- A. No Fees, Licenses, Permits, or Fines

TITLE 4: SEWER AND WATER

- A. Fees, Licenses, Permits, Cost of Service
 - 1. Public Works Call Out Fees [4.13.040]
 - a. During Normal Work Hours (8:00 AM – 5:00 PM, Monday – Friday) \$0.00*

b.	After Hour Work Week Rate (Monday - Friday)	\$200.00*
c.	Weekends	\$300.00*
d.	Holidays	\$400.00*
NOTE: FEES DO NOT INCLUDE ANY OTHER ADDITIONAL EXPENSES INCURRED.		
2.	Water Line Attachment Fee [4.20.020.A]	
a.	¾"	\$773.00#
b.	1"	\$1,187.00#
c.	1.5"	\$2,045.00#
d.	2"	\$3,140.00#
e.	3"	\$5,196.00#
f.	4"	\$8,546.00#
g.	6"	\$16,831.00#
NOTE: Owner also responsible for all other permit and tapping fees and/or incidental expenses of materials and manpower.		
3.	Sewer Line Attachment (Development) Fee (Based on size of freshwater line). <u>These fees are in addition to development expenses.</u> [4.19.020, 4.19.030]:	
a.	¾ Inch	\$478.00*
b.	1 Inch	\$732.00*
c.	1 ½ Inch	\$1,264.00*
d.	2 Inch	\$1,937.00*
e.	3 Inch	\$3,214.00*
f.	4 Inch	\$5,251.00*
g.	6 Inch	\$10,402.00*
2.	Residential and Commercial Permit Fee [4.04.020.A.1.]	\$75.00*
3.	Industrial Waste Establishment Permit Fee [4.04.020.A.3.]	\$500.00*
4.	Sprinkling	
a.	Automatic Sprinkler Registration [4.18.065.B.]:	\$0.00*
1.)	No Charge, but Automatic Sprinkling System Registration Form Must be Completed.	
b.	Sprinkling Variance for New Lawn	\$0.00*
1.)	No Charge, but Must Notify City in Writing. Valid for 2 weeks.	
5.	Private Disposal Permit Fee [4.03.010]:	Set by Powell County Environmental Health Department#
6.	Water/Sewer/Garbage Service Deposit [4.12.130]:	\$100.00*
7.	Monthly Water Charge [4.10.070, 4.16.010]	
a.	Within the Corporate Limits of Deer Lodge:	
1.)	Residential	
a.)	Flat Rates	
i.)	Pipe Size	
(a.)	¾, ¾, ¾ Inch	\$25.43@
(b.)	1 Inch	\$39.08@
(c.)	1 ¼ Inch	\$54.94@
(d.)	1 ½ to 1 ¾ Inch	\$57.32@
(e.)	2 Inch	\$103.34@
(f.)	2 ½	\$161.036@
(g.)	3 Inch	\$171.00@
(h.)	4 Inch	\$281.26@
(i.)	5 Inch	\$407.08@
(j.)	6 Inch	\$554.13@
b.)	Meter Rates	
i.)	Pipe Size	
(a.)	¾, ¾, ¾ Inch	\$19.59@
(b.)	1 Inch	\$30.08@
(c.)	1 ¼ Inch	\$42.26@
(d.)	1 ½ to 1 ¾ Inch	\$51.77@
(e.)	2 Inch	\$79.50@
(f.)	2 ½	\$103.12@
(g.)	3 Inch	\$131.56@

- (h.) 4 Inch..... \$216.346@
 (i.) 5 Inch..... \$313.456@
 (j.) 6 Inch..... \$426.27@
- ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.52 per 100 ccf@
Over 50 ccf	\$2.184 per 100 ccf@

1.) Commercial

a.) Flat Rates

i.) Pipe Size

- (a.) ½, ¾, 1 Inch..... \$29.38@
 (b.) 1 Inch..... \$45.11@
 (c.) 1 ¼ Inch..... \$63.39@
 (d.) 1 ½ to 1 ¾ Inch..... \$77.69@
 (e.) 2 Inch..... \$119.25@
 (f.) 2 ½..... \$154.674@
 (g.) 3 Inch..... \$197.31@
 (h.) 4 Inch..... \$324.53@
 (i.) 5 Inch..... \$470.171@
 (j.) 6 Inch..... \$639.39@

b.) Meter Rates

i.) Pipe Size

- (a.) ½, ¾, 1 Inch..... \$23.52@
 (b.) 1 Inch..... \$36.10@
 (c.) 1 ¼ Inch..... \$50.70@
 (d.) 1 ½ to 1 ¾ Inch..... \$77.69@
 (e.) 2 Inch..... \$119.25@
 (f.) 2 ½..... \$123.75@
 (g.) 3 Inch..... \$197.31@
 (h.) 4 Inch..... \$324.53@
 (i.) 5 Inch..... \$376.18@
 (j.) 6 Inch..... \$639.39@

ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.327 per 100 ccf@
Over 50 ccf	\$2.00 per 100 ccf@

b. Outside the Corporate Limits of Deer Lodge:

1.) Residential

a.) Flat Rates

i.) Pipe Size

- (a.) ½, ¾, 1 Inch..... \$27.61@
 (b.) 1 Inch..... \$42.43@
 (c.) 1 ¼ Inch..... \$59.66@
 (d.) 1 ½ to 1 ¾ Inch..... \$73.09@
 (e.) 2 Inch..... \$112.19@
 (f.) 2 ½..... \$145.54@
 (g.) 3 Inch..... \$185.67@
 (h.) 4 Inch..... \$305.36@
 (i.) 5 Inch..... \$442.40@
 (j.) 6 Inch..... \$601.63@

b.) Meter Rates

- i.) Pipe Size
- (a.) ½, ¾, 1 Inch \$21.27@
 - (b.) 1 Inch \$32.66@
 - (c.) 1 ¼ Inch \$45.89@
 - (d.) 1 ½ to 1 ¾ Inch \$56.21@
 - (e.) 2 Inch \$86.31@
 - (f.) 2 ½ \$111.96@
 - (g.) 3 Inch \$142.83@
 - (h.) 4 Inch \$234.88@
 - (i.) 5 Inch \$340.31@
 - (j.) 6 Inch \$462.80@

ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.11 per 100 ccf@
Over 50 ccf	\$1.82 per 100 ccf@

2.) Commercial

a.) Flat Rates

- i.) Pipe Size
- (a.) ½, ¾, 1 Inch \$31.90@
 - (b.) 1 Inch \$48.98@
 - (c.) 1 ¼ Inch \$68.81@
 - (d.) 1 ½ to 1 ¾ Inch \$84.34@
 - (e.) 2 Inch \$129.47@
 - (f.) 2 ½ \$167.93@
 - (g.) 3 Inch \$214.23@
 - (h.) 4 Inch \$352.35@
 - (i.) 5 Inch \$510.47@
 - (j.) 6 Inch \$694.20@

b.) Meter Rates

- i.) Pipe Size
- (a.) ½, ¾, 1 Inch \$25.53@
 - (b.) 1 Inch \$39.20@
 - (c.) 1 ¼ Inch \$55.06@
 - (d.) 1 ½ to 1 ¾ Inch \$67.47@
 - (e.) 2 Inch \$99.70@
 - (f.) 2 ½ \$134.36@
 - (g.) 3 Inch \$171.42@
 - (h.) 4 Inch \$281.90@
 - (i.) 5 Inch \$408.42@
 - (j.) 6 Inch \$555.41@

ii.) Residential Monthly Meter Rates for each 100 Cubic Feet (748.0519 gallons) monthly.

Consumption	Unit Rate
From 0 to 8 ccf	Included in Minimum
From 8 to 50 ccf	\$2.52 per 100 ccf@
Over 50 ccf	\$2.18 per 100 ccf@

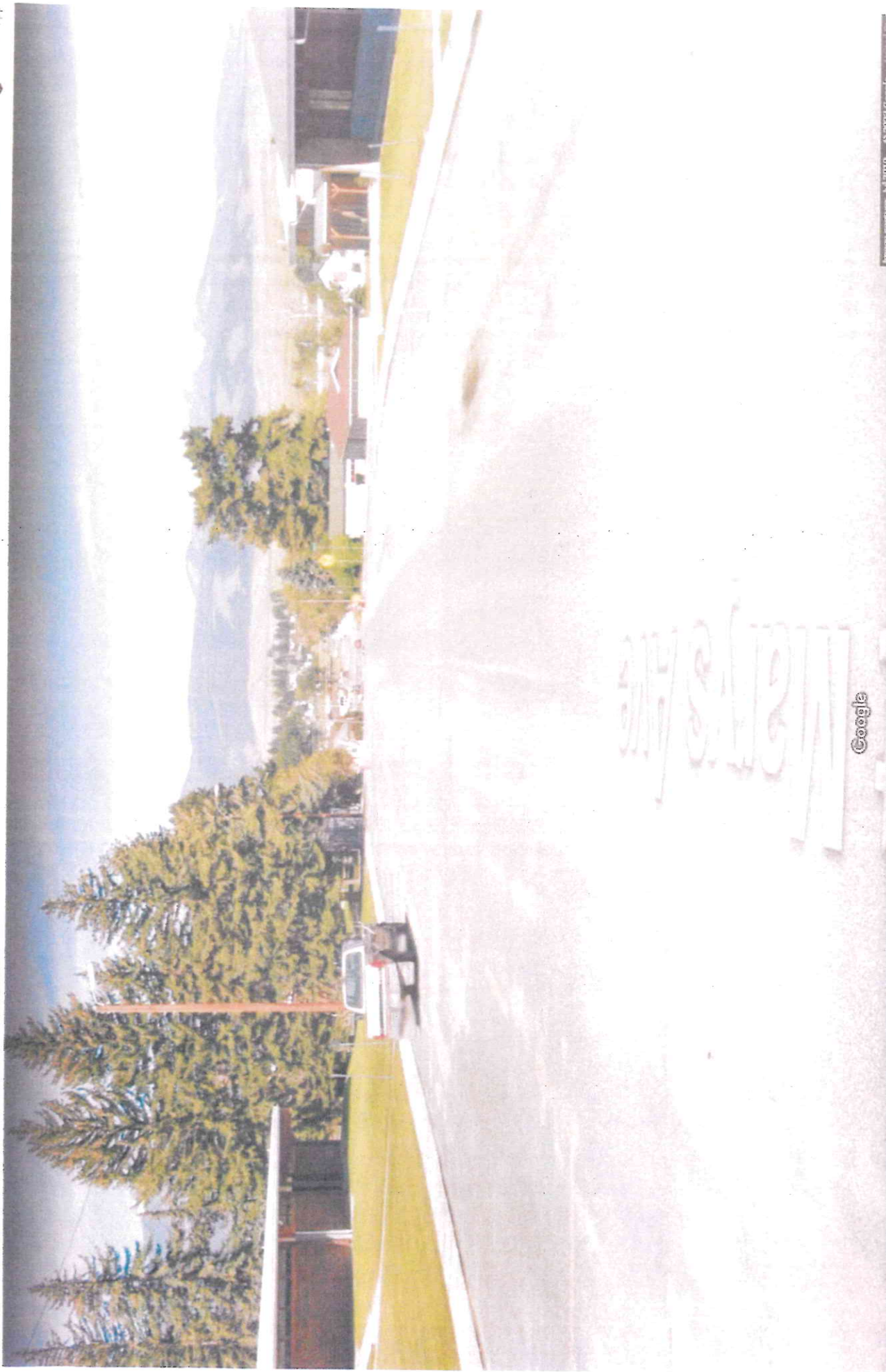
- c. Short Term Water Responsibility Discontinuance Monthly Charge To Be Determined (Water Bond)@
- 1.) Covers base infrastructure cost.
- d. Discontinuance/Disconnection [4.12.040]: Owner's Expense
- e. Reconnection Fee [4.12.050.A.]: \$100.00*
2. Monthly Sewer Charge [4.10.070] Evaluated at a minimum of biannually [4.10.050]:
- a. **Within the Corporate Limits of Deer Lodge:**
- 1.) Residential \$42.31*
 - 2.) Commercial \$42.31*
- b. **Outside the Corporate Limits of Deer Lodge:**

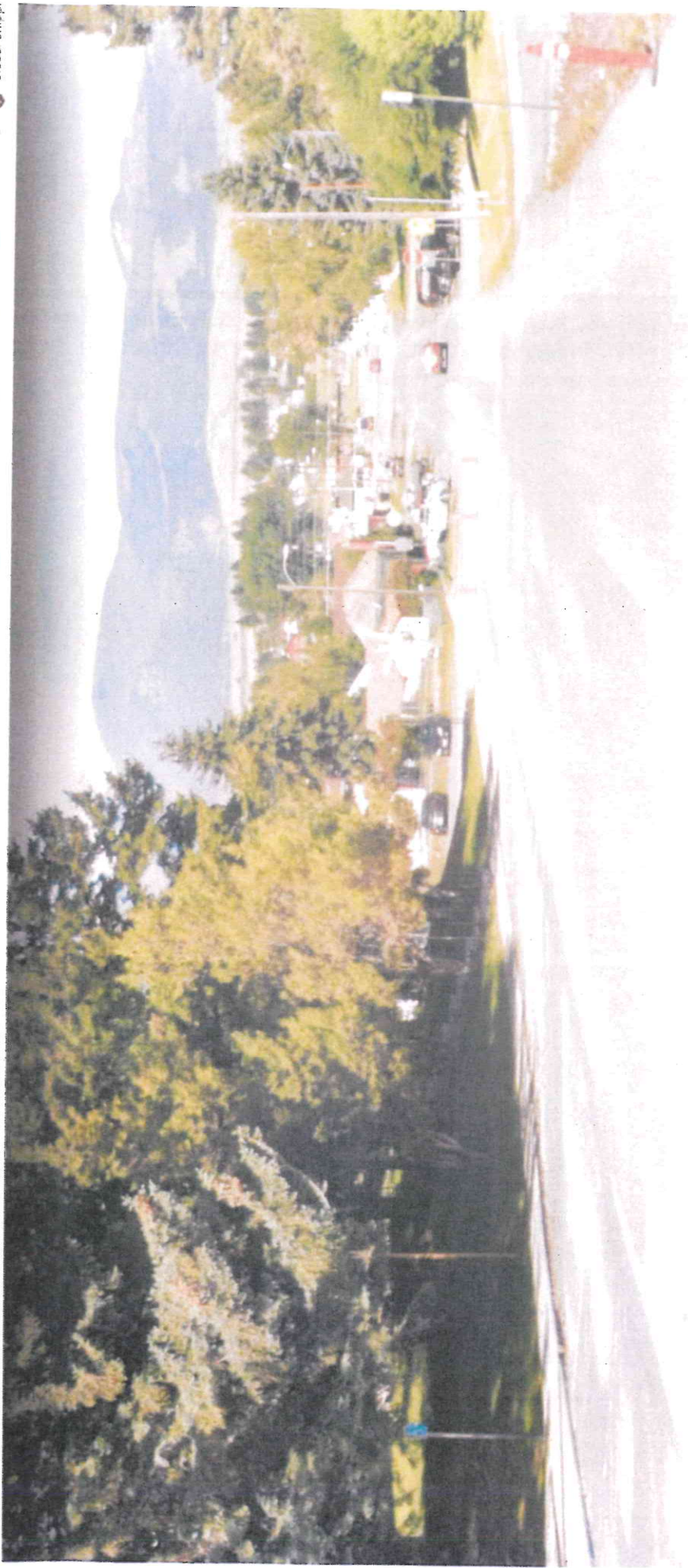
- 1.) Within City Limits \$42.31*
- 2.) Outside City Limits \$42.31*
- c. Short Term Sewer Responsibility Discontinuance Monthly Charge [4.10.071.B]: \$12.87@**
- 1.) Covers base infrastructure cost**
3. Discontinuance/Disconnection [4.10.071]: Owner's Expense
4. Extension of Water Main [4.12.030]: Cost Borne by Owner
- B. Fines/Penalties**
1. Watering Hours/Method Violations (Includes Automatic Sprinkling System Violations) [4.18.080/4.12.060.Q] – Currently in Water Shortage Double Penalty Stage due to loss of one well [4.18.070]
 - a. First Offense \$25.00 x 2=\$50.00^
 - b. Second Offense \$40.00 x 2=\$80.00^
 - c. Third Offense \$60.00 x 2=\$120.00^
 - d. Fourth Offense \$80.00 x 2=\$160.00^
 - e. Open Hose [4.18.060] \$125.00 x 2=\$250.00*
2. Clear Water Connection Penalty [4.04.080/4.09.020]: <= \$500.00*
3. Discharge of Unpolluted Waters Penalty [4.05.010/4.09.020]: <= \$500.00*
4. Discharge of Specified Waters or Waste Penalty [4.05.030/4.09.020]: <= \$500.00*
5. Exceeding Specified Substances, Materials, Waters, Waste Limits [4.05.040/4.09.020]: <= \$500.00*
6. Sewer Destruction Penalty [4.06.010/4.09.010/4.09.020]: <= \$500.00*
- a. Immediate Arrest on Charge of Disorderly Conduct
7. Discharge of Specified Waters or Waste Penalty [4.05.030/4.09.020]: <= \$500.00*
8. Liability to City for Expense, Loss, Damage Due to Violation [4.09.030]: Actual Cost
- 9. Monthly Water and Sewer Charge Late Fee [Not Defined]: \$15% of Total**
- 10. Two Month Late Disconnect Fee [Not Defined]: \$25.00**
11. Discontinued Water Service Reconnection/Usage without Authorization [4.12.050.D]:
 - a. Reconnection Fee: \$25.00 during business hours, otherwise per Public Works Callout Fee Schedule#
 - b. Owner additionally liable for all monthly charges since disconnect date
12. Discontinued Sewerage Service Reconnection/Usage w/o Authorization [4.10.070.D]:
 - a. Reconnection Fee Included with Water Connection Fee.#
 - b. Owner additionally liable for all monthly charges since disconnect date#
 - c. Willful and Blatant reconnection could result in denial of future discontinuation of service applications.#
 - 1.) Denial must state specific reasons.
 - 2.) This action can only be resolved by appeal to the City Council within 30 days of denial.
13. Non-Compliance with Phosphorus Compound Discharge to Wastewater [4.11.070]:
 - a. First Offense Notification by City Clerk, with 10 Days to comply#
 - b. Non-Compliance after 10 Days: Misdemeanor#
14. Each Violation of This Chapter [4.11.070]: \$50.00 to \$500.00#
 - a. Each day violation continues counts as a separate violation

TITLE 5: BUSINESS LICENSES AND REGULATIONS

1. Fees, Licenses, or Permits [5.02.050: LICENSE SCHEDULE OF FEES]
 - a. Annual Business License Fees [5.02.020: A]
 - 1.) Term: July 1, Current Year through June 30, Following Year
 - 2.) License:
 - a.) General Business License (Per Business/Branch) [5.02.040]: \$125.00*
 - b.) Non-Resident General Business License (Per Business/Branch): \$150.00!
 - c.) Contractor's Business License: \$50.00*
 - i.) Term: Maximum of 6 months*
 - d.) Major Home Occupation Business License (Per Business/Branch): \$50.00*
 - i.) Home Business Assessment Required to Verify Home Business Type
 - ii.) Requires Conditional Use Permit: \$100.00*
 - (a.) This permit cost includes the first year's Major Home Occupation Business License Fee.
 - e.) Minor Home Occupation Business License (Per Business/Branch): \$25.00*
 - i.) Home Business Assessment Required to Verify Home Business Type







SALE SALE

Google

Trent Freeman

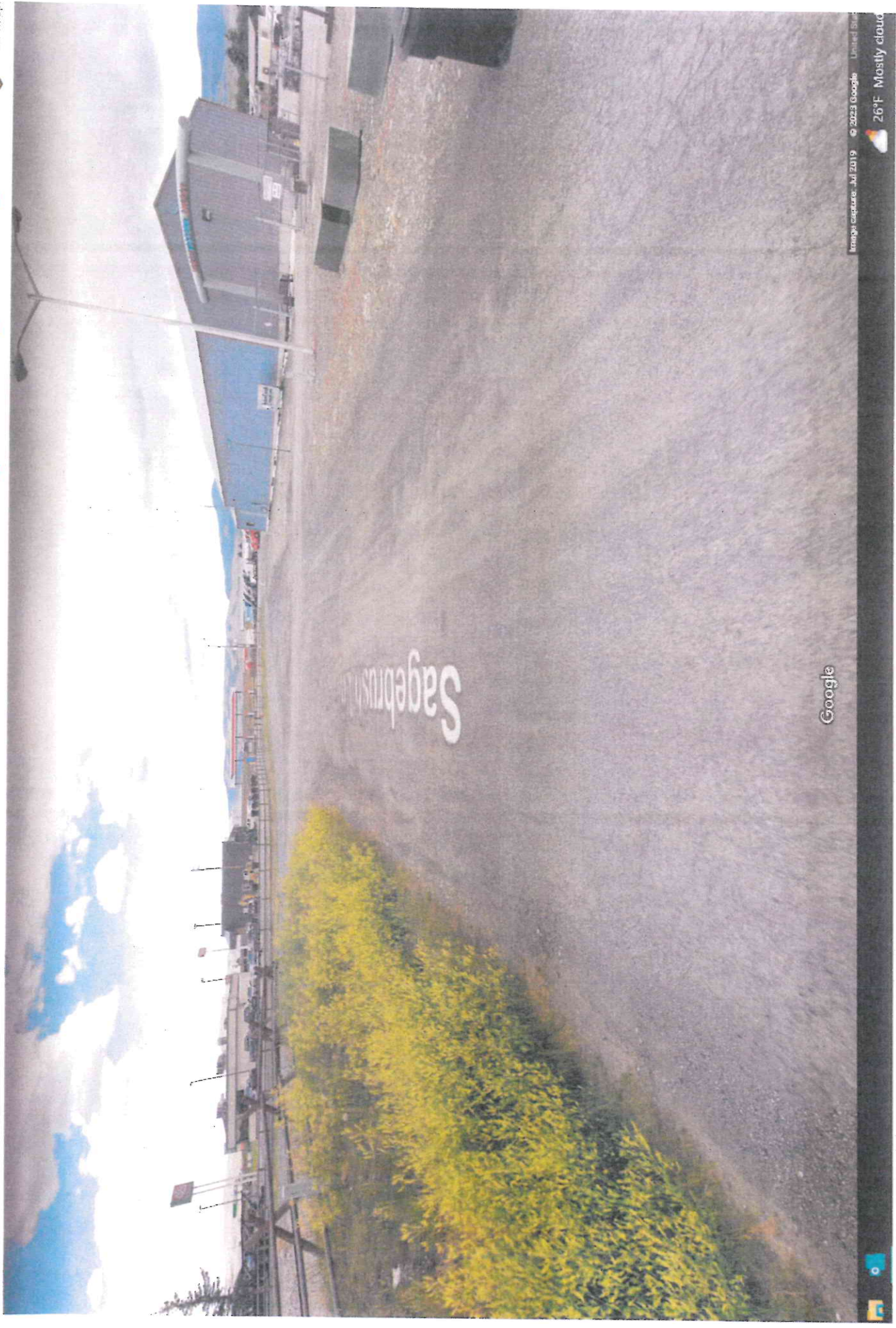
From: George Smith
Sent: Thursday, January 19, 2023 11:27 AM
To: Trent Freeman
Subject: Maverick and Sagebrush

I believe that there should be a stop sign at the intersection of Sagebrush Lane and Maverick Lane. The sign would be used to stop traffic driving east on Sagebrush Lane before they enter Maverick Lane.

George Smith

Chief of Police
City of Deer Lodge Police Department
300 Main St
Deer Lodge, Mt 59722
Phone 406-846-9585
Fax 406-846-2500





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