



COUNCIL AGENDA

December 4, 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 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. Fiscal Year 2023-2024 Budget – Jordan
 - a. Action Item: Resolution 2023-R-11: Adopt FY 2023-24 Budget
- 4. Approval of Minutes**
 - a. October 2, 2023
 - b. October 16, 2023
 - c. November 6, 2023
- 5. Committee Reports - Reports accepted as presented.**

a. City Council Operations – Rob Kersch	d. Public Health & Safety – 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 Items - The Council will act on each item after accepting public comments.**
 - a. Treasurer's Report | November Claims – Stan Glovan. Receive the informational report.
Accept the recommendation from the Finance Committee and approve the claims.
 - b. Resolution 2023-R-12: Authorize Application to the Montana Coal Endowment Program Planning Grant for a Stormwater Management System Preliminary Engineering Report – Jordan

- c. Stahly Task Order for Comprehensive Capital Improvements Plan (including MCEP application) – Jordan
- d. Stahly Task Order for Comprehensive Subdivision Regulation Update – Jordan
- e. Internship Opportunity for Ava Hoffman – Jordan
- f. 120 Water Renewal – Trent
- g. Airport Pasture Leases – Jordan

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

- Economic Growth & Dev – December 6th at 5pm
- Finance – December 4th at 4PM
- Public Health & Safety – December 14th at 5pm
- City Council Operations – December 11th at 5pm
- Planning Board – December 18th at 10am
- Council #2 – December 18th at 6:00pm
- **Public Works – December 26th at 5pm**

10. Mayor and Council Concerns: (ONLY Concerns that are not included in this meeting's 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. **This time is solely for COUNCIL and MAYOR comment, not public. NO ACTION can be taken at this time.** If action is necessary, the item will be put on the next meeting agenda following a majority vote of the City Council.

11. Next Meeting Announcement(s)

- a. Regular Meeting: December 18, 2023 at 6:00pm

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

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
Stanley Glovan
City Services Coordinator
Gena Micu



City Council
Dick Bauman
Joseph Callahan
Curt Fjelstad
Jackie Greenwood
John Henderson
Robert Kersch
John J. Molendyke
Gordon Pierson

CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: CITY COUNCIL **TO:** CITY COUNCIL

Agenda Item Name: Fiscal Year 2023-2024 Budget

For Meeting on: 12/04/2023

Staff Member/Committee Referring: _____

Description of the item:

At their November 6, 2023 meeting, the City Council recommended the proposed Fiscal Year 2023-2024 budget to a public hearing.

Attachments:

Budget Presentation Slideshow
Resolution 2023-R-11

Previous Committee Engagement:

(discussion, outcomes, recommendations, public comment)

The Finance Committee has reviewed the proposed budget several times over the past few months before making a recommendation to City Council. The City Council reviewed on November 6, 2023 and made a recommendation for a public hearing.

Recommended Motion/Action:

Hold a public hearing and, barring significant public concern, pass Resolution 2023-R-11, adopting the FY 2023-24 budget.

FY 2023-2024 MUNICIPAL BUDGET

PREPARED BY

JAMES JESS, MAYOR JORDAN GREEN, CAO STANLEY GIOVAN, TREASURER



Overview of City Budget

DIFFERENT TYPES OF FUNDS

- Non-Voted Levies (authorized by state)
 - General Fund (General Gov't Services, Police Department, Fire Department, Code Enforcement, Building Department)
 - Comprehensive Liability (Insurance)
 - Library
- Voted and Permissive Levies (approved by ballot initiative)
 - Fire Hall General Obligation Bonds
- Non-Voted Levies (enterprise funds, transfer-funded, grant-funded, state-funded)
 - Recreation
 - American Rescue Plan Act (ARPA)
 - City Planning Board
 - Capital Outlay Funds (Savings Accounts)
 - Drug Forfeiture
 - Gas Tax/Gas Tax Special
 - Historical Preservation
 - Gas Tax/Gas Tax Special
 - Light Maintenance Districts
 - Street Maintenance Districts
 - Water/Sewer/Solid Waste
 - Gas Tax/Gas Tax Special

Each **FUND** is made up of a number of **ACCOUNTS**

ACCOUNTS are further broken down into **OBJECTS**

Actual appropriations of Funds **CANNOT** exceed budgeted appropriations

However, Accounts and Objects **CAN** exceed budgeted amounts

Account Object	Actuals			Current		Erelim. Exp. Budget	Budget Changes	Final Budget	% Old Budget 22-23
	15-19	19-20	20-21	21-22	21-22				
1000 GENERAL									
410100 Legislative Services									
310 Salaries and Wages	3,449	3,600	3,525	5,980	6,150	97%	6,150	6,150	100%
343 Soc. Sec.	212	222	217	370	400	93%	400	400	100%
344 PERS	136	117	56	73	80	91%	80	80	100%
347 Workers Compensation	17	17	21	37	40	93%	40	40	100%
348 Medicare	49	51	50	86	90	96%	90	90	100%
400 Supplies	224	172	131	161	200	31%	200	200	100%
530 Publicity, Subs & Dues, P	1,536	1,421	918	1,439	1,000	145%	1,000	1,000	100%
550 Professional Services				295	7,000	4%	7,000	7,000	100%
570 Travel/Training	300	707	352	500	500	100%	500	500	100%
700 Grants, Contributions & I		100		0	0	0%	0	0	0%
Account:	5,923	6,407	5,290	8,991	15,460	51%	15,460	15,460	100%

Appropriation: Amount budgeted to be spent

Budgeted Cash Reserve: Amount budgeted to reserve for June - December 2024

Total Requirements: Appropriations + Cash Reserve

Cash Available: Cash left in the fund remaining from last Fiscal Year

Non-Tax and Property Tax Revenues = Total Revenues: Cash received

Total Resources: Cash Available + Total Revenues

Fund #	Fund Name	Appropriation	Budgeted Cash Reserve	Total Requirements	Cash Available (Less current liabilities)	Non-Tax Revenues	Property Tax Revenues	Total Revenues	Total Resources	Mill Levy	Estimated Ending Cash Balance
1000	General	1,797,794	400,539	2,198,333	520,497	1,391,450	286,385	1,677,836	2,198,333	89.86	400,539

NON-LEVIED FUNDS

Funded with service charges, transfers, and grant funding

17-2-302, MCA: “a local charge for services fund may not maintain a cash balance in the fund greater than twice the annual appropriation for that year”

Revenues in non-levied funds can only be used for the purposes they are collected for

Fund #	Fund Name	Appropriation	Budgeted Cash Reserve	Total Requirements	Cash Available (Less current liabilities)	Non-Tax Revenues	Total Resources	Estimated Ending Cash Balance
5210	Water Utility	1,225,620	1,854,853	3,080,473	1,089,339	1,991,134	3,080,473	1,854,853



HANDOUTS

USE FUND SPREADSHEETS TO LOOK AT EACH FUND AS A WHOLE

- Helpful to see appropriations, reserves, current cash, and estimated revenues
- Make sure the budget is balanced and resources are acceptable based on appropriations/reserves

USE BUDGET SUMMARY PACKETS TO LOOK AT SPECIFIC BUDGETED APPROPRIATIONS AND REVENUES, PRIOR YEAR ACTUALS, AND WHERE THE MONEY COMES FROM

- Two packets: Expenditures and Revenues
- Helpful to look at for specific costs, projects, and grants
- Can compare to prior year actuals



REVENUES



TAX REVENUES

The state sets the assessed/market valuation of all property located within city limits

The state sets a taxable valuation based off the assessed valuation (1.63% of res. valuation)

The state reassesses every property on a 2-year basis

City receives 15% of property tax revenue. County receives 25%. Schools receive 60%

The amount these jurisdictions are authorized to increase taxes by is capped by the state at $\frac{1}{2}$ the rate of average rate of inflation over 3 years (2.46% this year)

City collects money based on MILLS (equal to taxable valuation / 1000)

State provides a spreadsheet to calculate MILLS a jurisdiction is authorized to levy based on taxable valuation and inflation

- Therefore, if property values increase higher than the rate of adjustment, number of mills goes down to cap tax increases to half the rate of inflation

TAX REVENUES

FISCAL YEAR 2022-2023

Assessed/Market Valuation: \$268,522,054 (up about \$73 million from last year)

Taxable Valuation: \$4,110,430

So, 1 MILL = \$4,110.43

Based on Calculations: City is authorized to receive **91.31 mills for a total of \$375,323.36, which is approximately \$11,937 more than last year.**

HOWEVER: The City has an extra levy for the Fire Hall General Obligation Bonds. This was voted by the citizens to cover the costs of paying the bond for the construction of the fire hall.

• This year, our Fire Hall G.O. Bond amount is 15.51 mills (\$63,752.77)

FOR A TOTAL MILL LEVY OF 106.82 MILLS OR \$439,076.13, about \$9,000 more than last year.

NON-TAX REVENUES

SPECIAL IMPROVEMENT DISTRICTS:

Street Maintenance District #4: \$601,723.88

- Almost all lots in City assessed at rate of \$.032 per square foot

City Lighting District #104: \$68,339.70

- Properties benefitting from this district assessed at \$47.79

Main Street Lighting District #105: \$3,208.45

- Properties benefitting from this district assessed at \$91.67

Maverick Lane Special Improvement District: \$7,102.73

- Flat rate determined by Resolution 2019-R-29 for improvements on Maverick Lane

NO INCREASE IN SPECIAL IMPROVEMENT DISTRICT ASSESSMENTS IN FISCAL YEAR 2023-2024

NON-TAX REVENUES

ENTERPRISE FUNDS

(Approximated based on charges for services received last Fiscal Year)

Water Utility Fund: \$540,000

Sewer Utility Fund: \$820,000

Sewer Bond Payment: \$220,000

Solid Waste Utility Fund: \$280,000

NO INCREASE IN ENTERPRISE FUND CHARGES FOR SERVICES INCLUDED IN THIS BUDGET



OTHER NON-TAX REVENUES

STATE ENTITLEMENT SHARE: \$530,467 (about \$16,000 higher than last year)

- “The Big Bill” HB 124 passed in 2001. Streamlined process for collecting certain property taxes
- Majority allocated to General Fund, the rest is distributed between Recreation Fund, Comprehensive Liability, and Library Fund

RENT: \$105,000

- Transferred to General Fund by other Funds as “rent” to use City Facilities. Rent went “up” this year.

AMERICAN RESCUE PLAN ACT

- Local Fiscal Recovery Funds: \$728,768.38 (all already disbursed)
- Minimum Allocation Grants: Received additional \$607,125 from State by matching \$182,465 of our LFR Funds for our Well Project
- County Minimum Allocation Grant: Received additional \$607,444 from County MAG for Well Project
- Competitive Grants: Received additional \$618,000 from State for our Sewer Repair (I&I) Project

OTHER NON-TAX REVENUES

GRANTS

- \$30,000 from Department of Commerce Community Development Block Grant Program
- \$5,000 from Department of Commerce for North Gateway Sign Completion
- \$283,500 from Department of Commerce for City Hall Historic Preservation Grant
- \$40,000 from Montana Coal Endowment Program (not awarded but expected) for WWTP Variance
- \$15,000 from RRGL Program (not awarded but expected) for WWTP Variance
- \$342,500 for RGDP Grant Program for Passenger Refueling Area Superfund soil cleanup (budgeted \$60k expenditure and reimbursement as most of project will not happen this fiscal year)
- \$500,000 from Montana Coal Endowment Program for I&I Project
- \$125,000 from Renewable Resource Grant and Loan Program for I&I Project

GAS TAX/GAS TAX SPECIAL (combined this Legislative Session)

- \$648,451.34
- This is an increase of about \$500,000 over last year

EXPENDITURES

EMPLOYEE PAY AND BENEFITS



EMPLOYEE PAY

Many employees' salaries and benefits are allocated between different funds as their job descriptions relate to those funds

- I.E. City Services Coordinator is paid out of Water Utility, Sewer Utility, and Solid Waste Utility

Benefits are calculated based on information received from our insurance agency, the Montana Municipal Interlocal Authority (MMIA)

- Standard increase to health insurance, and retirement.
- Decrease of 8.2% in Workman's Comp from prior year. Decrease of 9% in Unemployment.

All unionized employees have salary increases dictated by the current 2021-2023 Collective Bargaining Agreement

- Police Department (except Chief of Police)
- Public Works (except Public Works Superintendent)
- Clerical

All pay increases have been previously approved by the City Council

LEGISLATIVE AND EXECUTIVE PAY

NO INCREASE IN COUNCIL OR MAYOR SALARY THIS FISCAL YEAR

Council: \$24,600 total split between members

Mayor: \$20,787

Split between General Fund, Water, Sewer, Solid Waste

TOTAL LEGISLATIVE AND EXECUTIVE SALARY + BENEFITS: \$51,319.32



ADMINISTRATION

Chief Administrative Officer: \$80,000 (increase from \$75,000)

- Split between General Fund, Street Maintenance District #4, Water Utility, Sewer Utility, and Solid Waste

City Clerk: \$42,100 (increase set by CBA)

- Split between General Fund, Water Utility, Sewer Utility, and Solid Waste

City Services Coordinator: \$42,450 (increase set by CBA)

- Split between Water Utility, Sewer Utility, and Solid Waste

City Treasurer: \$50,000 (increase set by CBA)

- Split between General Fund, Water Utility, Sewer Utility, and Solid Waste

TOTAL ADMINISTRATION SALARY + BENEFITS: \$299,121.63 (about \$25k higher than last year)

POLICE AND FIRE DEPARTMENTS

All paid out of General Fund

Police Chief: \$70,000

- Not set by CBA

5 Police Officers: \$291,650

- Set by CBA

No increase for Fire Department Chief, Assistant Chief, Captain, Lieutenant, or Volunteers

TOTAL POLICE DEPARTMENT SALARY + BENEFITS: \$522,666.77 (about \$47k higher than last year)

TOTAL FIRE DEPARTMENT SALARY + BENEFITS: \$33,193.34



CODE ENFORCEMENT / BUILDING INSPECTOR

Both paid out of General Fund

Code Enforcement Officer: \$43,700

Building Inspector: \$13,500 (\$1,000 increase)

TOTAL CODE ENFORCEMENT OFFICER SALARY + BENEFITS: \$62,915.77

TOTAL BUILDING INSPECTOR SALARY + BENEFITS: \$14,798.43



RECREATION DEPARTMENT

Both paid out of Recreation Fund

Director: \$7,800

Assistant Director: \$4,200

No pay increases this year; substantial increases last year

TOTAL RECREATION DEPARTMENT SALARY + BENEFITS: \$13,159.26



CEMETERY AND PARKS DEPARTMENTS

Paid out of General Fund

No Parks Department Salaries this year

Cemetery Groundskeeper: \$44,100 + \$2,400 overtime

- Set by CBA

TOTAL CEMETERY SALARY + BENEFITS: \$74,283.70

LIBRARY

All paid out of Library Fund

Pay set by Library Board and approved by City Council
5% pay increases over last year

TOTAL LIBRARY SALARY + BENEFITS: \$94,067.05



PUBLIC WORKS DEPARTMENT

All salaries except Public Works Superintendent dependent on CBA

Public Works Superintendent paid solely out of Sewer Utility Fund

Garbage Collector paid solely out of Solid Waste Fund

All other Public Works Employees paid out of combination of Street Maintenance Districts, Gas Tax, Water Utility, and Sewer Utility

Public Works Superintendent: \$78,160 (\$4,000 increase from last year)

TOTAL PUBLIC WORKS DEPARTMENT SALARY + OVERTIME + BENEFITS: \$771,698.07



EXPENDITURES

PROJECTS AND LARGE PURCHASES



GENERAL FUND

\$40,000 for Community Development Block Grant for Growth Policy Update:

- \$10,000 local match and \$30,000 award

\$11,000 for 2-year audit by Newland and Company

\$72,000 as match for Montana Historic Grant Program



POLICE DEPARTMENT

\$1,000 for radar certifications

\$15,000 to Capital Outlay fund for a new vehicle purchase

\$5,000 for dues to drug task force

\$10,000 for recruitment and retention of new officers

\$200,000 for **two years** of dispatch services per City/County Memorandum of Understanding

- We were not charged by the County last fiscal year



FIRE DEPARTMENT

\$20,000 to Capital Outlay fund to save up for new fire truck every 10 years

\$46,000 transferred from Fire Department Capital Outlay to pay fire truck payments

- Amount is supplemented from City/Rural Fire Department MOU

\$61,500 for Fire Department G.O. Bond Payment

- Voted levy. Also levied to fund debt service

\$51,800 for repayment of Fire Truck purchase loan. Loan closes 2026. This was last interest payment

CEMETERY, PARKS, AND SOIL CONSERVATION

\$5,500 for cemetery shop doors and wall repairs/insulation

\$30,000 for underground sprinklers at the skatepark

\$37,800 for Parks Maintenance Contract

\$20,000 transferred to Parks Outlay Fund for Pickleball Courts

\$60,000 for soil remediation at Passenger Refueling State Superfund site to finish out project and receive grant reimbursement

- This is set aside out of grant funding for professional engineering services

ECONOMIC GROWTH AND DEVELOPMENT

\$3,000 for Main Street Painting Project

\$10,000 as a donation to the Powell County Museum and Arts Foundation



STREET MAINTENANCE AND LIGHTING

\$91,500 to finish up 2022 Street Maintenance Project

\$200,000 for 2023 Street Maintenance Project

Note: Gas Tax also contributes \$170,000 for 2023 project and \$450,000 for 2024 project

\$255,000 for Cottonwood Avenue street drainage project

\$80,000 for new pickup truck

\$50,000 for new loader (\$50k/year for 5 years. On year 3/5)

\$65,000 for city lighting electric payments.

ARPA

Approximately \$350,000 remaining

Budget \$250,000 in expenditures for this year (all funds must be earmarked by end of 2024)

- The Finance Committee would like to use these funds for the purchase of a Garbage Truck and as a donation to the Senior Center this year. Specific allocations unknown until Garbage Truck quote is obtained.



WATER UTILITY

\$79,829 for a SCADA (Supervisory Control and Data Acquisition) upgrade

\$165,000 for new well casing

\$5,000 for Well PLC Panel OIT upgrades

\$10,000 for water rights attorney retainer

\$90,000 for professional services related to well transmission system

\$11,000 for leak study

\$16,500 for ½ of equipment trailer and ConEx box (split with sewer)

\$100,000 for ½ of water tank painting (will be split over two years)



SEWER UTILITY AND SOLID WASTE

\$16,500 for ½ of equipment trailer and ConEx box (split with sewer)

\$20,000 for a push sewer camera with locator

\$50,000 in variance application fees (to be covered with anticipated MCEP/RRGL grant funds)

\$35,000 for SCADA system backup

\$20,000 to upgrade all UPS's

\$381,000 in WWTP debt service payments

No atypical expenditure requests for Solid Waste out of fund

KEY POINTS

Expenditures are budgeted high, and Revenues are budgeted low

Expenditures are high due to a large number of projects, but larger projects are balanced with grant funding

Water and Sewer utilities have very high ending year cash reserves. Solid waste is much lower

No increase in utility rates or assessment rates included in this budget

No permissive levies to be included in this budget



RESOLUTION 2023-R-11

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEER LODGE ADOPTING FINAL BUDGETS, BUDGET AUTHORITIES AND ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024.

WHEREAS, the City of Deer Lodge properly advertised and conducted a public hearing on this matter on December 4th at 6 PM in City Hall, 300 Main Street, Deer Lodge, Montana.

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

Section 1. Legal Spending Limits:

As part of the final budget the City Council hereby sets the City's budget level for the ensuing fiscal year:

- A. The estimated, July 1st, beginning cash balances;
- B. The estimated income;
- C. The authorized expenses; and,
- D. The estimated, June 30th, ending cash balances.

The authorized appropriations as stated, establish the legal spending limits of the municipality at the fund level. Detail below the fund level is informational only and does not reflect the legal spending limits.

Section 2. Property Tax Adjustments:

Property taxes are to be levied to the full extent of the law. If the property tax levy as allowed by law exceeds the budgeted property tax revenues, the additional property tax revenue will be placed in the General Fund's Reserve for Capital Project Funds and is available for appropriation there from.

Section 3. Appropriation Carry-overs:

Generally accepted accounting principles (GAAP) require expenditures to be recognized in the fiscal year in which the goods or services are received. As such, the Deer Lodge City Council hereby authorizes the carry-over of prior year unspent budget authority under the following conditions:

- A. Previous fiscal year appropriations or segments thereof, are hereby declared authorized appropriations, provided they meet the following criteria:
 - i. Related financing was provided in the prior fiscal year;
 - ii. The appropriations were not obligated by year end;
 - iii. The purpose was not included, or rejected, in current budget financing or appropriations; and
 - iv. The City Council determines the appropriation is still needed.
- B. Outstanding purchase orders and other obligations, representing a City obligation to pay the claim after receipt of the goods or services, are recognized as "claims incurred". They

are hereby declared authorized “carryover” appropriations, provided they meet the following criteria:

- i. Related financing was provided in the prior fiscal year;
- ii. The appropriations were not otherwise obligated by year end;
- iii. The purpose was not included, or rejected, in current budget financing or appropriations; and
- iv. The City Council determines the appropriation is still needed.

Passed and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 4th day of December, 2023.

The effective date of Resolution 2023-R-11 is December 4, 2023.

Council Member	Yea	Nay	Abstain/Present	Absent
Dick Bauman				
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

CITY COUNCIL

MINUTES

The City Council met on October 02, 2023, at 6 PM | PC Community Center

Members Present:	Dick Bauman, Joseph Callahan, John Henderson, Jackie Greenwood, Rob Kersch, Curt Fjelstad, Gordon Pierson, John Molendyke
Members Absent:	None
Mayor:	Jim Jess
CAO:	Jordan Green
Staff:	Stan Glovan, Peter Elverum, Chief Smith
Consultants	None
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 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: October 02, 2023
Minutes will be deferred until the next meeting, as City Clerk is out for the time being.

5. Committee Reports – Accepted as presented.

- a. Council Ops – Rob Kersch (Chairperson)
October 2nd 2023 - Recommended review of City Council by laws, recommend to review City Council and recommended agenda request forms.

b. Economic Growth & Development – John Henderson (Chairperson)

October 2nd - All new business. Powell County rescinded their offer of usage of their billboard. Chamber of Commerce discussed the market position and how it's not a suitable fit for the city to help fund at this time. Discussed the land water conservation fund pre application and possible usages.

c. Finance – Dick Bauman (Chairperson)

October 2nd - No public comment on the last meeting. Discussed garbage revenue against costs of operation. Will have a slight increase by \$1.39 a month. The driving lane widening on Missouri Ave will be approved and forwarded to the Council for consideration. Continued Business was the budget review. Committee comments discussed how to fund the senior citizen center parking.

d. Public Health & Safety – Rob Kersch (Interim Chairperson)

October 2nd – A few dog bites, not many people attended the fire training.

e. Public Works – John Henderson (Interim Chairperson)

October 2nd – Approved to go forward with Morrison-Maierle contract and to recommend a septic system installation be allowed for Carbon-Based Solutions at the Milwaukee Roundhouse Site.

6. Board Reports – Accepted as presented.

a. Airport Board – Gordon Pierson

No September Meeting

b. Powell County Parks Board – Dick Bauman

No September Meeting. Items of discussion were Arrowstone Park improvements, they need more signs and more doggy bags. They received a pending grant report from the county planner Amanda Cooley. The remediation of Arrowstone Park is going to be advertised, DEQ has made a future plan, they plan to rip everything up and put it back together. DEQ will be hosting an open house October 27th 6:00pm at City Hall for Arrowstone Park.

c. Chamber of Commerce – John Henderson

Was unable to attend.

d. Headwaters RC&D – Joseph Callahan

Was unable to attend. Reports from staff at Headwaters, one agenda item was discussed. Figuring out ways to help have Headwaters help the county distribute funding from House bill 819. Potentially help homeowners in town with their cost of housing.

e. Historic Preservation – Curt Fjelstad

Was unable to attend.

f. Landfill – Rob Kersch

Looking at fencing around the new expansion area. The neighbors will be running cattle next year. Working on starting a seismic analysis for the licenses of a Class two landfill. Will be providing some landfill for Arrowstone Park remediation of around 300 yards. One employee was injured at the site.

Local Emergency Planning Committee – Dick Bauman
Will have a meeting on January 17th, 2024.

- g. Library – John Molendyke
Was unable to attend.
- h. Planning Board – Dick Bauman
Haven't had a meeting yet.
- i. Youth Board – Jackie Greenwood
Looking for adults to help with the junior party on October 27th. Need more grownups to host. Need more purple bean bags, freezer was sent back as it was damaged.

7.Continued Business (old/continued Business or Items Tabled)

- a. None

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

- a. Treasurer's Report | September Claims – Stanley Glovan. Atypical claims include:
 - a. Sprinkler Installation at the Skate Park for \$30,780.00
 - b. DeSilva Electric for a light pole for \$6,437.87
 - c. Great West Engineering for a Growth Policy Update for \$4,593.75
 - d. Total Claims for September were \$230,513.46
 - e. Total Payroll for September was \$171,482.53
 - f. For a total of \$401,995.99

Member Bauman motioned to approve the claims as presented. Member Pierson seconded the motion. 8 Ayes, 0 Nos. Motion passed.

b. Approval of Appointment of Niall Atkinson as DLPD Reserve Officer – Chief Smith and Mayor Jess

Niall Atkinson spoke, introduced himself. The Police Commission approved him as a reserve officer. He is an Emergency Room provider at Deer Lodge Medical Center. He has taken two reserve officer courses and is currently on the Granite County Sheriff's Office as a reserve deputy. He has over ten years of experience as a reserve officer and is also a tactical medic. Chief Smith requested he be hired as a Reserve Police Officer.

Member Greenwood motioned to approve as presented. Member Kersch seconded the motion. 8 Ayes, 0 Nos. Motion passed.

c. Carbon-Based Solutions Septic and Infrastructure – Jordan

On August 21st Carbon Based Solutions presented to the City Council a proposition to set up shop north of Sun Mountain Lumber at the Milwaukee Roundhouse Site. There are concerns they will need to work with the county on leases, superfund remediation. They are currently working with the county. The city needs to be involved in the process of approving a septic tank because the sewer is far away. Public Works discussed adding septic system to the property and what the requirements will be. Public Works recommended approval of the septic system by Carbon Based Solutions at the Milwaukee Roundhouse Site.

Member Kersch motioned to approve the septic tank for Carbon-Based Solutions as presented. Member Bauman seconded the motion. 8 Ayes, 0 Nos. Motion passed.

d. Task Order 4, Morrison & Maierle Ongoing WWTP Services – Trent

Task Order 4 from Morrison and Maierle for ongoing professional services for items associated with the Wastewater Treatment Plant when the operator needs engineering assistance.

Consultant shall perform the following services:

Provide support to the City for engineering services associated with the Wastewater Treatment Plant.

The Budget for the Task Order services shall be:

\$10,000 and subject to the attached rate schedule. Rate may be updated come January 2024.

The City has budgeted \$10,000 every two years for engineering services. The old Task Order has expired. Task Order 4 was created to try to get caught up on contracts and other paperwork. The City has \$5,000 per year budgeted for the engineers in case of emergency they have a contract with an engineer that can perform maintenance.

Member Kersch motioned to approve the Task Order as presented. Member Molendyke seconded the motion. 8 Ayes, 0 Nos. Motion passed.

e. Solid Waste Rate Increase Discussion – Jordan

Discussed at the last two meetings, not looking for approval tonight, but looking to discuss further. At a Finance budget meeting on August 23, 2023, the Finance Committee was made aware of the initial concerns with the solid waste rates. They motioned to include the item for discussion on the next agenda and to direct the Public Works Department to pursue a quote on a garbage truck. At their September 5, 2023 meeting, they recommended the increases to the City Council.

First Year: A \$1.39 increase in both residential and commercial garbage rates. Second Year: A \$0.50 increase in both residential and commercial garbage rates. Third Year: A \$0.50 increase in both residential and commercial garbage rates.

Member Pierson motioned to discuss the item as presented in the future and to hold a public hearing. Member Kersch seconded the motion. 8 Ayes, 0 Nos. Motion passed.

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

- Economic Growth & Dev – October 4th at 5 PM
- Finance –October 2nd at 4PM
- Public Health & Safety – October 12th at 5 PM
- City Council Operations – October 9th at 5 PM
- Planning Board – October 16th at 10AM
- Council #2 – October 16th at 6 PM
- Public Works – October 24th at 5 PM

10. 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.

Member Greenwood requested an agenda item to amend bylaws for citizens to put items on future agendas.

Member Greenwood motioned to discuss the concern as presented in the future. Member Bauman seconded the motion. 7 Ayes, 1 Nos. Motion passed to discuss in future.

Mayor Jess announced that the second City Council meeting in November will be held on November 13 instead of November 20.

10. Next Meeting Announcements

- a. Regular Meeting: October 16, 2023 at 6:00pm

11. Adjournment

Mayor Jim Jess adjourned the meeting at 6:52pm.

Prepared By: City Clerk – Temp.

Mayor Jim Jess

Date

CITY COUNCIL

MINUTES

The City Council met on October 16th 2023, at 6 PM | PC Community Center

Members Present:	Dick Bauman, John Henderson, Jackie Greenwood, Rob Kersch, Curt Fjelstad, Gordon Pierson, John Molendyke
Members Absent:	Joseph Callahan
Mayor:	Jim Jess
CAO:	Jordan Green
Staff:	Stan Glovan, Peter Elverum, Chief Smith, Kody Ryan, Trent Freeman, Peter Elverum
Consultants	None
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 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.

None.

3. Public Hearing.

a. None

4. Approval of Minutes.

Minutes will be deferred until the next meeting, as City Clerk is out for the time being.

5. Department Reports:

a. CAO

Finance Committee and Council Operations Committee are currently reviewing fee schedule. Changes have been recommended to Council. The Finance Committee has finished review of Fiscal Year 2023-24 budget requests and has made a recommendation to the City Council.

b. Public Works

Persons/Mitchell//Roberts/Alley Abandonment – Jordan

Three requests for Abandonment of City- owned Property were filed with the City of Deer Lodge on September 6, 2022. These requests are for three separate lengths of the unnamed alley right-of-way between the Grant- Kohrs Ranch National Historic Site and three properties in the Northwest Townsite owned by the applicants. The Public Works Committee recommended the abandonments to the City Council.

c. Police

Chief Smith gave the report.

No Questions

d. Fire

No Questions or Report

e. Code Enforcement

Kody Ryan presented his report.

A few dog at large complaints, 5 citizen complaints, 2 temporary fosters, 3 excessive grass, 192 dog tags sold, 1 dog sheltered, 1 junk vehicle towed, one new outdoor kennel set up, 2 citations issued, once vicious dog detained at shelter pending court ruling, 3 stop work orders were issued.

f. Recreation Program

No Report

6. Mayor Council Concerns: (Only Concerns that are not included in this meeting's 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. **This time is solely for COUNCIL and MAYOR comment, not public. NO ACTION can be taken at this time.** If action is necessary, the item will be put on the next meeting agenda following a majority vote of the City Council.

Member Greenwood expressed concern for purchasing a new garbage truck. Suggested possibly refurbishing the current truck and was curious about a price estimate. The City has plans to get rid of the current truck and purchase a new one in a few years. Member Greenwood feels that the city could get an estimated cost to fix the truck.

Trent will look into getting an estimated cost to refurbish the garbage truck. However, doing a digital scan to see what all needs to be replaced, that diagnostics will not tell you about mechanical problems with the truck, just parts that help make it run. The diagnostics will be expensive and not be able to fix the truck entirely.

7. Continued Business (The Council will act on each item after accepting public comments.)

- a. None

8. New Business

a. Citizen's Request for Agenda Items – Councilmember Jackie Greenwood

Member Greenwood has made a request that all citizen requests for Agenda Items be sent to appropriate committee for consideration. Would like all citizens feel that their concerns are heard and will be taken into consideration and always put onto the next Agenda.

- Jordan –

The Council has two ways of adding a subject to an Agenda. The Mayor has the authority to put subjects on the Agenda, or the Council can vote to decide if they will discuss further on the subject the citizen has brought up.

- Member Bauman –

Expressed that this specific subject was put on the Agenda because of the last meeting. The council is currently taking citizens' request into consideration.

- Member Greenwood –

Would like to take a vote to make sure that all concerns citizens have are taken into consideration. A citizen can fill out a form or make an appearance to a council member.

- Mayor Jess

Council Bylaws are already taking into consideration what the citizens' concerns are. There is no need to change the current Bylaws. All citizen concerns have been brought to the attention of the Council and will continue to be brought to the attention of the Council.

A Member of the public stated he did not know the current ways by which a citizen can request something for the agenda.

It was discussed that city staff should advertise the different ways that citizens could currently bring requests to the City Council.

Member Greenwood motioned to keep the process the same but have staff advertise how citizens can bring requests to the City Council. Member Kersch seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion has passed.

b. Persons/Mitchell/Roberts Alley Abandonment Request – Jordan

Three Requests for Abandonment of City-owned Property were filed with the City of Deer Lodge on September 6, 2022. These requests are for three separate lengths of the unnamed alley right-of-way between the Grant-Kohrs Ranch National Historic Site and the three properties in the Northwest Townsite owned by the applicants. Jerry and Debra Persons submitted for the right-of-way adjacent to their property: Lots 10-14 of Block 7 ("Persons Abandonment"). Kathryn Ann Mitchell submitted for the right-of-way adjacent to their property: Lots 7-9 of Block 18 ("Mitchell Abandonment"). David O. Roberts submitted for the right-of-way adjacent to their property: Lots 10-12 of

Block 18 ("Roberts Abandonment"). The purpose of said requests is to hire a surveyor to aggregate the rights-of-way into their three separate properties for future use.

The Public Works Committee had previously recommended the abandonments based on 2022 taxable values and the applicants were told to get a letter of no contest from Grant-Kohrs Ranch. This took several months. In May 2023, Public Works saw the item again and recommended to City Council approval based on 2023 taxable values. This was approved by the City Council.

The applicants request that the Council reapprove the abandonments based on the previously approved 2022 taxable values. These would be \$3,957.20 for the Persons, \$3,957.20 for Mitchell, and \$4,261.60 for Roberts.

Member Bauman motioned approve the abandonments based on the 2022 taxable values. Member Pierson seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion has passed.

c. Stahly Engineering Contract Extension – Jordan

Jordan Green presented a contract extension for engineering services with Stahly Engineering. The contract extension would be valid through December 31, 2024. Stahly Engineering has been the City's contract engineer since 2017, which will expire December 31, 2023.

Mayor Jess stated that his intention is to begin the process of bidding for a contract engineer during the time period of the contract extension, for which Stahly is able to bid. Mayor Jess stated that this would be a good way to make sure we are paying the best costs possible.

Member Kersch motioned to approve the proposal. Member Henderson seconded the motion. 7 Ayes, 0 Nos, 1 Absent. Motion has passed.

9. Next Meeting Announcements

- a. Regular Meeting – Monday November 6th, 2023 at 6:00pm

10. Adjournment

Mayor Jim Jess adjourned the meeting at 6:55PM.

Prepared By: City Clerk – Temp.

Mayor Jim Jess

Date

CITY COUNCIL MINUTES

The City Council met on November 6, 2023, at 6 PM | PC Community Center

Members Present:	Dick Bauman, John Henderson, Jackie Greenwood, Rob Kersch, Curt Fjelstad, Gordon Pierson, John Molendyke
Members Absent:	Joseph Callahan
Mayor:	Jim Jess
CAO:	Jordan Green
Staff:	Stan Glovan, Peter Elverum, Sergeant Slauson, Trent Freeman
Consultants	None
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 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. Solid Waste Rate Increase – Jordan

Jordan Green presented the proposed rate increase and the purpose for the increase as described in the packet.

First Year Increase: \$1.39/month for both residential and commercial garbage rates

January 1, 2025 Increase: \$0.50/month for both residential and commercial garbage rates

January 1, 2026 Increase: \$0.50/month for both residential and commercial garbage rates

Public Hearing Opened at 6:13 PM.

John Greenwood claimed the City is dealing with shopping out garbage cost for third party entities. Discussed concerns for the amount of money this will cost the public as "The City is dealing with hard numbers and it's not fast."

Public Hearing Closed at 6:14 PM.

Jordan Green stated that private rates were discussed, and they would cost the public \$30 a month, however the public would need to purchase their own can and waste is removed every 2 weeks. Currently at the time, there is no available private business that is willing to do a private contract to pick up garbage.

Member Greenwood asked about the possibility of diagnostic reports of the current truck to see if costs would be less than a new truck. Staff confirmed that diagnostics only provide data on existing issues, not potential issues.

Member Bauman motioned to approve staff to write a resolution to adopt the solid waste rates. Member Pierson seconded the motion. 7 Ayes, 0 Nos. 1 Absent. Motion passed.

4. Approval of Minutes.

Minutes will be deferred until the next meeting, as City Clerk is out for the time being.

5. Committee Reports – Accepted as presented.

- a. Council Ops – Rob Kersch (Chairperson) November 6th - Did not have a meeting.
- b. Economic Growth & Development – John Henderson (Chairperson) November 6th - Maintenance costs for agriculture property were discussed. More research is needed for the property and council reviewed proposals for funding city county sites. WWC submitted a proposal for the County, planning to do work around the Milwaukee Roundhouse Site.

Committee Comments or Concerns:
None.

- c. Finance – Dick Bauman (Chairperson) November 6th - Finance committee met on October 2nd, Four members of the community were present during the public comment, they spoke about a pickle ball court, it's very popular for the senior citizens. The committee agreed and will discuss the need for a pickle ball court in the near future. The Task Order #4 for the Wastewater Treatment Plant was approved and forwarded to the City Council and will be ready to approve claims soon.
- d. Public Health & Safety – Rob Kersch Interim Chairperson Joseph Callahan (Chairperson) November 6th - No meeting
- e. Public Works – John Henderson (Interim Chairperson) November 6th - No Meeting.

6. Board Reports – Accepted as presented.

- a. Airport Board – Gordon Pierson
No Meeting
- b. Powell County Parks Board – Dick Bauman
Last meeting was held at the Court House at 5pm in the conference room. No one from the public showed up. Expenditures were signs and garbage cans. The signs are directed at irresponsible dog owners and are asking that pet owners clean up after their pets. Arrowstone Park will soon be given a huge overhaul, so the public needs to take care of it. Next meeting is November 15th.
- c. Chamber of Commerce – John Henderson
Christmas Stoll planning was discussed and the Christmas raffle with tickets was introduced.
- d. Headwaters RC&D – Joseph Callahan
No meeting
- e. Historic Preservation – Curt Fjelstad
History for the City of Deer Lodge was discussed, a book dating back to the 1800's is currently being put together.
- f. Landfill – Rob Kersch
Landfill seems to have a few delinquent tickets that need to be paid. The 966 Loaded needs repaired; the old loader needs repaired for around \$20,000. They will also receive some dirt from RC Silicon at \$21 a ton and will receive around 15 loads of that.
- g. Local Emergency Planning Committee – Dick Bauman
Next meeting is in January.
- h. Library – John Molendyke
Wasn't able to make it to the last meeting due to a Time Change of the meeting.
- i. Planning Board – Dick Bauman
October 16th at 10am was the last meeting, no one from the public showed up.
Order of business: Growth Policy, subdivisions, and zoning regulations were discussed.
Public Hearings Process was discussed.
Narrative Review: Requested that all the entities in the community give a narrative of what they do, these will be in the Growth Policy, so the Council Members and the Collective can see what they need to do to maintain their status.
- j. Youth Board – Jackie Greenwood
Was unable to attend.

7. Continued Business (old/continued Business or Items Tabled)

- a. None

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

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

Atypical Revenues:

Nothing to report.

Completed Projects:

Nothing to report.

Atypical Claims:

M&P Excavating Inc. – Curb removal and Repair 329 Main ST - \$17,950

Iron Horse Towing Inc. – Elite HC Spreader - \$11,090.00

Grizzly Diesel Inc. – Parts and Labor for Garbage Truck - \$11,103.73

K&B Construction – Sidewalk and Curb - \$20,800.00

Payables:

Claims: \$184,787.00

Payroll: \$158,433.80

Total: \$343,220.80

Member (name) motioned to approve the claims as presented. Council (Name 31.20) seconded the motion. 7 Ayes, 0 Nos. 1 Absent Motion passed.

b. Affirm Appointment of Volunteer Firefighter: Aaron Hegglund- Fire Chief Pierson

An interview was conducted prior to the Council Meeting, Aaron Hegglund and Chief Pierson were both absent at the meeting.

Member Kersch motioned to approve the claims as presented. Member Pierson seconded the motion. 7 Ayes, 0 Nos 1 Absent. Motion passed.

c. In Control Renewal – Trent

Annual renewal of our Automation and Cybersecurity Plan (ACSP) from In Control Inc., our water and sewer SCADA system integrator. The renewal shall include annual subscriptions that support WatchGuard's Total Security Suite 24/7 firewall monitoring.

Recommended Motion/Action:

Approve proposal #QP23092001-01 for the renewal of the annual ACSP in the amount of \$7,268.00 which can be invoiced quarterly for \$1,817.00

Member Pierson motioned to approve proposal as presented. Member Kersch seconded the motion. 7 Ayes, 0 Nos. 1 Absent. Motion passed.

d. Fiscal Year 2023-2024 Budget – Jordan and Mayor Jess

The Fiscal Year 2023-2024 budget has been recommended to the City Council for approval by the Finance Committee. Jordan Green presented the summary of the budget from the packet.

Greg Larkins, Senior Center Board President, thanked the Council for including funding for the Senior Center.

John Greenwood asked about budgeted funds for stormwater management. Jordan Green answered that grants for stormwater management have been applied for.

Member Pierson motioned to move proposal to a public hearing. Member Greenwood seconded the motion. 7 Ayes, 0 Nos. 1 Absent Motion passed.

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

- Economic Growth & Dev – November 8th at 5 PM
- Finance – November 6th at 4PM
- Public Health & Safety – November 9th at 5 PM
- City Council Operations – November 13th at 5 PM
- Planning Board – November 20th at 10AM
- Council #2 –November 13th at 6 PM
- Public Works – November 28th at 5 PM

10. 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. Council Meeting date moved due to Thanksgiving Holiday.
- b. Member Henderson relayed thanks from the community for first responder presence during the Main Street Trick or Treat event.
- c. Member Kersch expressed concerns about the cost of repairs on garbage truck and stated his desire to purchase a new garbage truck.

11. Next Meeting Announcements

- a. Regular Meeting: **November 13, 2023@ 6:00pm**

12. Adjournment

Mayor Jim Jess adjourned the meeting at 6:55PM.

Prepared By: City Clerk – Temp.

Mayor Jim Jess

Date

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
Stanley Glovan
City Services Coordinator
Gena Micu



City Council
Dick Bauman
Joseph Callahan
Curt Fjelstad
Jackie Greenwood
John Henderson
Robert Kersch
John J. Molendyke
Gordon Pierson

CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: STAFF MEMBER **TO:** CITY COUNCIL

Agenda Item Name: Resolution 2023-R-12

For Meeting on: 12/04/2023 **Staff Member/Committee Referring:** Jordan Green

Description of the item:

Stahly Engineering is working on an application for a Planning Grant to the Montana Coal Endowment Program (MCEP) for a Stormwater Management System Preliminary Engineering Report (PER). We have previously applied through FEMA and are waiting to hear back on that grant. Match will be \$10,000 for a \$40,000 grant.

Attachments:

Resolution 2023-R-12

Previous Committee Engagement:

(discussion, outcomes, recommendations, public comment)

The Finance Committee reviewed the MCEP grant match amount at their December 4, 2023 meeting.

Recommended Motion/Action:

Pass Resolution 2023-R-12, obligating \$10,000 in matching funds and authorizing the City to submit the application.

RESOLUTION 2023-R-12

AUTHORIZATION TO SUBMIT MCEP INFRASTRUCTURE PLANNING GRANT APPLICATION.

WHEREAS, the City of Deer Lodge is applying to the Montana Department of Commerce for financial assistance from the Montana Coal Endowment Program (MCEP) to create a Preliminary Engineering Report for a Stormwater Management System in the City of Deer Lodge; and

WHEREAS, the agrees to comply with all State laws and regulations and the requirements described in the MCEP Administrative Guidelines & Application for Infrastructure Planning Grants specifically, and those that will be described in the MCEP Project Administration Manual generally;

WHEREAS, the City of Deer Lodge commits to provide \$10,000 in matching funds as proposed in the MCEP application;

WHEREAS, the City of Deer Lodge commits to provide any funding from other grant sources listed in the application budget if not awarded by those grant sources; and

NOW, THEREFORE, LET IT BE RESOLVED, That James Jess, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of the City of Deer Lodge, to act on its behalf and to provide such additional information as may be required.

PASSED and approved by the City Council of the City of Deer Lodge, Montana on first and final reading at a regular Council meeting this 4th day of December, 2023.

The effective date of Resolution 2023-R-12 is December 4, 2023.

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

James Jess, Mayor

Attest:

Jordan Green, Chief Administrative Officer

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
Stanley Glovan
City Services Coordinator
Gena Micu



City Council
Dick Bauman
Joseph Callahan
Curt Fjelstad
Jackie Greenwood
John Henderson
Robert Kersch
John J. Molendyke
Gordon Pierson

CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: COMMITTEE **TO:** CITY COUNCIL

Agenda Item Name: Stahly Task Order for CCIP Update

For Meeting on: 12/04/2023 **Staff Member/Committee Referring:** Finance

Description of the item:

The City has not updated its Comprehensive Capital Improvements Plan (CCIP) since 2017. This document guides capital expenditures and investments over the next 5 years. Now is a perfect time to update the CCIP so it is responsive to the 2023 Growth Policy Update and current needs. Stahly has provided a task order for them to apply for a Montana Coal Endowment Grant for the CCIP update, as well as the cost of the CCIP update.

Attachments:

Task Order from Stahly Engineering.

Previous Committee Engagement:

(discussion, outcomes, recommendations, public comment)

The Finance Committee reviewed the task order at their December 4, 2023 meeting.

Recommended Motion/Action:

Approve City Staff to sign the task order to have Stahly begin working on the MCEP application for a CCIP update.



Engineers and Land Surveyors

3530 Centennial Drive, Helena, MT 59601 | phone: 406-442-8594
851 Bridger Drive, Suite 1, Bozeman, MT 59715 | phone: 406-522-8594
2223 Montana Avenue, Suite 201, Billings, MT 59101 | phone: 406-601-4055
www.seaeng.com

November 6, 2023

City of Deer Lodge
300 Main Street
Deer Lodge, MT 59722

Subject: Stahly Engineering & Associates Proposal to Complete a Comprehensive Capital Improvements Plan and Subdivision Regulation Update

Dear Mayor Jess:

This letter and associated attachment are intended as a Scope of Work for Stahly Engineering & Associates to complete updates to the City of Deer Lodge Comprehensive Capital Improvements Plan for the years 2024-2029 and Subdivision Regulations per changes made by the Montana Legislature. Your approval of this Scope of Work is required per our term agreement. That agreement states that any projects assigned to our firm exceeding \$10,000 require a detailed Scope of Work and review and approval by the town council.

The attached Exhibit A identifies the activities associated with each task anticipated for the services we will provide. The City of Deer Lodge will reimburse Stahly Engineering for services based on time and materials spent on the project and will be subject to all other conditions of the existing term contract.

Please review this Scope of Work and provide comment if necessary. If agreeable to the council, please sign the Notice to Proceed below and return the original to our office. Thank you for the opportunity to provide services to Judith Basin County.

Sincerely,

Stahly Engineering & Associates, Inc.

Kathy Thompson, PE
Senior Project Manager

NOTICE TO PROCEED

Stahly Engineering & Associates is hereby granted a notice to proceed for the Comprehensive Capital Improvements Plan and Subdivision Regulations for the City of Deer Lodge:

Owner: City of Deer Lodge

Authorized Signature: _____

Title: _____

Date: _____

CITY OF DEER LODGE COMPREHENSIVE CAPITAL IMPROVEMENTS PLAN 2024-2029

SCOPE OF WORK (includes City Personnel duties)

Stahly Engineering Tasks		Expectations of City Personnel		Estimated Cost per Task	Estimated Schedule
<i>MCEP Planning Grant (optional)</i>		<i>MCEP Planning Grant</i>		<i>Planning grant \$1,000</i>	<i>November 2023 – August 2024</i>
<ul style="list-style-type: none"> Prepare planning grant to MCEP Grant administration following award 		<ul style="list-style-type: none"> Provide review and signatures for MCEP submittals 		Grant Admin \$1,000	
<i>Assessing Needs</i>		<i>Assessing Needs</i>		<i>\$6,500</i>	<i>January 2024 – April 2024</i>
<ul style="list-style-type: none"> Facilitate and organize needs assessment meetings with local government officials, department heads, public Develop surveys and means for public input Inventory and assess existing facilities Meet with Department Heads regarding projects identified (as needed) Analyze historic budget information Establish preliminary cost estimates 		<ul style="list-style-type: none"> Participate in needs assessment meetings with department heads and public Provide lists and assistance with the inventory of existing facilities Provide historic and up to date financial information 			
<i>Prioritizing Needs</i>		<i>Prioritizing Needs</i>		<i>\$3,500</i>	<i>April 2024 – June 2024</i>
<ul style="list-style-type: none"> Facilitate prioritization process including establishment of ranking criteria Summarize needs and assist Deer Lodge personnel/council with prioritizing projects 		<ul style="list-style-type: none"> Establish ranking criteria Assist with research regarding projects identified Approve ranking of projects 			
<i>Evaluate Funding Options</i>		<i>Evaluate Funding Options</i>		<i>\$1,500</i>	<i>April 2024 – June 2024</i>
<ul style="list-style-type: none"> Provide information about potential funding sources Review County finances and recommend funding alternatives 		<ul style="list-style-type: none"> Identify existing funding mechanisms utilized by the County Assist with review of County finances 			
<i>Complete a Written Document</i>		<i>Review Written Document</i>		<i>\$4,500</i>	<i>February 2024 - July 2024</i>
<ul style="list-style-type: none"> Ensure compliance with potential funding agency requirements Provide draft and final documents for review to Deer Lodge personnel/council, MCEP, and the public 		<ul style="list-style-type: none"> Provide timely comments on draft versions in order to have the CIP prepared for budgeting process Make document available to public for review and provide opportunity for comments 			

<i>Stahly Engineering Tasks</i>	<i>Expectations of City Personnel</i>	<i>Estimated Cost per Task</i>	<i>Estimated Schedule</i>
<ul style="list-style-type: none"> Assist with advertising availability to public and preparing document for public presentation 			
<i>Adoption and Implementation</i>	<i>Adoption and Implementation</i>	\$1,000	July 2024 – July 2029
<ul style="list-style-type: none"> Assist with implementing yearly goals of the CIP <ul style="list-style-type: none"> Formally adopt the CIP Commit to projects identified Review the CIP each year in conjunction with the budgeting process 			
<i>Expenses</i>	<i>Expenses</i>	\$1,050	
<ul style="list-style-type: none"> Trips and per diem Hard copies of the final document 			
TOTAL ESTIMATED COST FOR ACTIVITIES RELATED TO CCIP*	WITH GRANT WRITING/ADMIN	\$20,050	
	WITHOUT GRANT WRITING/ADMINISTRATION	\$18,050	

CITY OF DEER LODGE SUBDIVISION REGULATIONS

SCOPE OF WORK

Stahly Engineering personnel will review existing City of Deer Lodge Subdivision Regulations and associated documents, including design standards and the recently completed Growth Policy. Utilizing our knowledge of existing legislation that affects subdivision regulations and the information gathered from existing documents, we will draft a new subdivision regulation document for review by the City's Administrative Officer. We will update the draft with City comments and make it available for public comment. Stahly Engineering personnel will attend a public meeting to take comments on the document. If further revision is necessary, those comments will be addressed, and a final document will be prepared for adoption by the City of Deer Lodge City Council.

TOTAL ESTIMATED COST* \$8,200

***Out of scope activities creating additional fee will be approved by City personnel prior to Stahly Engineering proceeding with additional work.**

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
Stanley Glovan
City Services Coordinator
Gena Micu



City Council
Dick Bauman
Joseph Callahan
Curt Fjelstad
Jackie Greenwood
John Henderson
Robert Kersch
John J. Molendyke
Gordon Pierson

CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: COMMITTEE **TO:** CITY COUNCIL

Agenda Item Name: Stahly Task Order for Subdivision Regulation Update

For Meeting on: 12/04/2023 **Staff Member/Committee Referring:** Finance

Description of the item:

The City of Deer Lodge has subdivision regulations that were adopted in 2018 which dictate application materials, processes, and guidelines for major and minor subdivisions. The 2023 Legislative Session passed several bills that require substantial changes to subdivision regulations for all cities and counties in Montana. Stahly has provided a task order for a comprehensive update to our sub regs to align with state statute and changing conditions.

Attachments:

Task Order form Stahly Engineering

Previous Committee Engagement:

(discussion, outcomes, recommendations, public comment)

The Finance Committee reviewed the task order at their December 4, 2023 meeting.

Recommended Motion/Action:

Approve City Staff to sign the task order to have Stahly begin working on the subdivision regulations update.



Engineers and Land Surveyors

3530 Centennial Drive, Helena, MT 59601 | phone: 406-442-8594
851 Bridger Drive, Suite 1, Bozeman, MT 59715 | phone: 406-522-8594
2223 Montana Avenue, Suite 201, Billings, MT 59101 | phone: 406-601-4055
www.seaeng.com

November 6, 2023

City of Deer Lodge
300 Main Street
Deer Lodge, MT 59722

Subject: Stahly Engineering & Associates Proposal to Complete a Comprehensive Capital Improvements Plan and Subdivision Regulation Update

Dear Mayor Jess:

This letter and associated attachment are intended as a Scope of Work for Stahly Engineering & Associates to complete updates to the City of Deer Lodge Comprehensive Capital Improvements Plan for the years 2024-2029 and Subdivision Regulations per changes made by the Montana Legislature. Your approval of this Scope of Work is required per our term agreement. That agreement states that any projects assigned to our firm exceeding \$10,000 require a detailed Scope of Work and review and approval by the town council.

The attached Exhibit A identifies the activities associated with each task anticipated for the services we will provide. The City of Deer Lodge will reimburse Stahly Engineering for services based on time and materials spent on the project and will be subject to all other conditions of the existing term contract.

Please review this Scope of Work and provide comment if necessary. If agreeable to the council, please sign the Notice to Proceed below and return the original to our office. Thank you for the opportunity to provide services to Judith Basin County.

Sincerely,

Stahly Engineering & Associates, Inc.

Kathy Thompson, PE
Senior Project Manager

NOTICE TO PROCEED

Stahly Engineering & Associates is hereby granted a notice to proceed for the Comprehensive Capital Improvements Plan and Subdivision Regulations for the City of Deer Lodge:

Owner: City of Deer Lodge

Authorized Signature: _____

Title: _____

Date: _____

CITY OF DEER LODGE COMPREHENSIVE CAPITAL IMPROVEMENTS PLAN 2024-2029

SCOPE OF WORK (includes City Personnel duties)

Stahly Engineering Tasks		Expectations of City Personnel		Estimated Cost per Task	Estimated Schedule
<i>MCEP Planning Grant (optional)</i>		<i>MCEP Planning Grant</i>		<i>Planning grant \$1,000</i>	<i>November 2023 – August 2024</i>
<ul style="list-style-type: none"> Prepare planning grant to MCEP Grant administration following award 		<ul style="list-style-type: none"> Provide review and signatures for MCEP submittals 		<i>Grant Admin \$1,000</i>	
<i>Assessing Needs</i>		<i>Assessing Needs</i>		<i>\$6,500</i>	<i>January 2024 – April 2024</i>
<ul style="list-style-type: none"> Facilitate and organize needs assessment meetings with local government officials, department heads, public Develop surveys and means for public input Inventory and assess existing facilities Meet with Department Heads regarding projects identified (as needed) Analyze historic budget information Establish preliminary cost estimates 		<ul style="list-style-type: none"> Participate in needs assessment meetings with department heads and public Provide lists and assistance with the inventory of existing facilities Provide historic and up to date financial information 			
<i>Prioritizing Needs</i>		<i>Prioritizing Needs</i>		<i>\$3,500</i>	<i>April 2024 – June 2024</i>
<ul style="list-style-type: none"> Facilitate prioritization process including establishment of ranking criteria Summarize needs and assist Deer Lodge personnel/council with prioritizing projects 		<ul style="list-style-type: none"> Establish ranking criteria Assist with research regarding projects identified Approve ranking of projects 			
<i>Evaluate Funding Options</i>		<i>Evaluate Funding Options</i>		<i>\$1,500</i>	<i>April 2024 – June 2024</i>
<ul style="list-style-type: none"> Provide information about potential funding sources Review County finances and recommend funding alternatives 		<ul style="list-style-type: none"> Identify existing funding mechanisms utilized by the County Assist with review of County finances 			
<i>Complete a Written Document</i>		<i>Review Written Document</i>		<i>\$4,500</i>	<i>February 2024 - July 2024</i>
<ul style="list-style-type: none"> Ensure compliance with potential funding agency requirements Provide draft and final documents for review to Deer Lodge personnel/council, MCEP, and the public 		<ul style="list-style-type: none"> Provide timely comments on draft versions in order to have the CIP prepared for budgeting process Make document available to public for review and provide opportunity for comments 			

Stahly Engineering Tasks	Expectations of City Personnel	Estimated Cost per Task	Estimated Schedule
<ul style="list-style-type: none"> Assist with advertising availability to public and preparing document for public presentation 			
<i>Adoption and Implementation</i>	<i>Adoption and Implementation</i>		
<ul style="list-style-type: none"> Assist with implementing yearly goals of the CIP <ul style="list-style-type: none"> Formally adopt the CIP Commit to projects identified Review the CIP each year in conjunction with the budgeting process 		\$1,000	July 2024 – July 2029
<i>Expenses</i>	<i>Expenses</i>		
<ul style="list-style-type: none"> Trips and per diem Hard copies of the final document 		\$1,050	
TOTAL ESTIMATED COST FOR ACTIVITIES RELATED TO CCIP*	WITH GRANT WRITING/ADMIN	\$20,050	
	WITHOUT GRANT WRITING/ADMINISTRATION	\$18,050	

CITY OF DEER LODGE SUBDIVISION REGULATIONS

SCOPE OF WORK

Stahly Engineering personnel will review existing City of Deer Lodge Subdivision Regulations and associated documents, including design standards and the recently completed Growth Policy. Utilizing our knowledge of existing legislation that affects subdivision regulations and the information gathered from existing documents, we will draft a new subdivision regulation document for review by the City's Administrative Officer. We will update the draft with City comments and make it available for public comment. Stahly Engineering personnel will attend a public meeting to take comments on the document. If further revision is necessary, those comments will be addressed, and a final document will be prepared for adoption by the City of Deer Lodge City Council.

TOTAL ESTIMATED COST* **\$8,200**

***Out of scope activities creating additional fee will be approved by City personnel prior to Stahly Engineering proceeding with additional work.**

Mayor
James Jess
Chief Administrative Officer
Jordan Green
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Gena Micu



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John J. Molendyke
Gordon Pierson

CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: STAFF MEMBER TO: CITY COUNCIL

Agenda Item Name: Internship Opportunity for Ava Hoffman

For Meeting on: 12/04/2023 Staff Member/Committee Referring: Jordan Green

Description of the item:

CAO was emailed by Ava Hoffman, sophomore at University of Michigan, in October, who was asking about the possibility of an internship for the month of May 2024. She will be in town during that month. She is interested in understanding public policy and implementation. CAO believes she would be an asset to the City through activities outlined in the draft offer letter.

Attachments:

Draft offer letter to Ava Hoffman.
Ava Hoffman Resume.

Previous Committee Engagement: (discussion, outcomes, recommendations, public comment)

The Finance Committee reviewed the internship offer letter at their December 4, 2023 meeting.

Recommended Motion/Action:

Approve City Staff to offer the internship position to Ava Hoffman as outlined in the draft offer letter.

Mayor
James Jess
Chief Administrative Officer
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City Services Coordinator
Gena Micu



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Jackie Greenwood
John Henderson
Robert Kersch
John J. Molendyke
Gordon Pierson

December 1, 2023

Ava Hoffman
6355 Waldon Woods Dr
Clarkston, MI 48346
(810) 618-2038
achoff@umich.edu

Re: Internship Offer with the City of Deer Lodge

Ms. Hoffman:

The City of Deer Lodge is pleased to extend to you an offer for a paid internship for the month of May 2024. Providing you with experience in local policymaking is of great importance to us – skilled decision makers are crucial for the effective governance of local governments – and we believe this opportunity can be beneficial to both parties. The purpose of this letter is to summarize your internship offer from the City of Deer Lodge by summarizing the major terms and conditions of your internship.

Throughout the term of this internship, you will report directly to Jordan Green, Chief Administrative Officer, and your reporting work location will be City Hall. Your effective starting date would be May 1 and will continue to May 31. This is a temporary, full-time position, with a normal work week of Monday through Friday, 8AM – 5PM, with a one-hour lunch break. Your pay will be \$17.00/hour. You will be paid on May 15 and May 31 for the hours you have worked.

As a City of Deer Lodge employee, you will be expected to abide by City of Deer Lodge policies and procedures, which will be provided to you.

Your primary tasks will be to 1) identify contradictory or insufficient city codes and prepare new language for presentation to the City Council, 2) assist the City Clerk in organizing and implementing City contracts, 3) assist the Chief Administrative Officer in creating an implementation plan for the City's 2023 Growth Policy, 4) update the City's forms and applications, and 5) other tasks as directed by your supervisor or, with approval, tasks you have requested.

Should you choose to accept this internship offer, please reply to this email with your acceptance and we can have you sign this offer letter in person on May 1, 2024.

We are excited about this opportunity to work and grow professionally together.

Sincerely,

Jordan Green, AICP, CFM
Chief Administrative Officer
City of Deer Lodge
300 Main Street
Deer Lodge, MT 59722
(406) 594-1896
jgreen@cityofdeerlodgemt.gov

EMPLOYEE STATEMENT:

I agree with and accept the terms set forth in this letter.

Signature

Name

Date

AVA CLAIRE HOFFMAN

6355 Waldon Woods Dr • Clarkston, MI 48346-2483
achoff@umich.edu • (810) 618-2038 • [linkedin.com/in/ava-hoffman-b34608268](https://www.linkedin.com/in/ava-hoffman-b34608268)

EDUCATION	UNIVERSITY OF MICHIGAN College of Literature, Science, and the Arts Bachelor of Arts, May 2026 <ul style="list-style-type: none">• Cumulative GPA: 3.6 / 4.0• Current Political Science major, intended degree in Public Policy Analysis through Gerald R. Ford School of Public Policy• Member of the Residential College, a four-year interdisciplinary liberal arts program focusing on language immersion and proficiency	Ann Arbor, MI
EXPERIENCE 2023	MICHIGAN 52-2 DISTRICT COURT Legal Clerk Intern <ul style="list-style-type: none">• Selected as 1/2 interns out of applicant and interview process for Judge Kelley Kostin of Michigan's 52nd-2 District Court• Observed live courtroom proceedings, learning advanced legal terminology while calling case numbers and facilitating transfer of documents from clerk to Judge• Handled documents regarding an array of legal proceedings, such as but not limited to domestic violence, assault and battery, DUI, probation violations, and civil suits, ultimately facilitating communication of information and key details regarding cases	Clarkston, MI
2021	OFFICE OF STATE SENATOR ROSEMARY BAYER (MI-13TH) Lobbyist Intern <ul style="list-style-type: none">• Tasked with traveling door-to-door through local cities, providing statistics and information to prospective swing voters, creating dialogue between constituents and local representative Rosemary Bayer (MI-13th District) in order to secure their vote• Developed close-standing relationships with political officials such as Rosemary Bayer and more, securing assistance and verbal guidance for future career goals and aspirations, strengthening understanding and influencing career trajectory• Probed constituents regarding local issues that they'd want local representatives to focus on, working closely with team members to compile constituent responses, ultimately resulting in final deliverable with potential solutions presented to campaign manager	Oakland County, MI
2021-2022	SQUARE ONE Server <ul style="list-style-type: none">• Worked with POS system to place orders, manage bills and handle complimentary items in order to ensure high quality of customer service and overall consumer satisfaction• Memorized key menu items, their specific dietary composition, and suggested appropriate options for food allergy concerns, retaining safe and reliable dining experience for all• Established consistent sales of high-margin items such as appetizers and mixed drinks to enhance restaurant income, ultimately leading all servers in average bill size per capita	Clarkston, MI
2021-2022	CLARKSTON HIGH FEMINISM CLUB Member <ul style="list-style-type: none">• Participated in Women's Rights march at Clarkston High in response to the U.S. Supreme Court's reversal of Roe v. Wade with 100+ participants• Fundraised annually for organizations representing victims of domestic abuse/violence, resulting in hundreds of dollars of donations over presidential tenure	Clarkston, MI
2019-2021	SCAMP Special Education Student Aid <ul style="list-style-type: none">• Worked with special education students through variety of activities, games, and challenges in order to promote learning and social development• Responded to emergency situations to resolve immediate safety concerns or direct appropriate personnel• Supported students with personalized accommodations, providing extra assistance and educational assessments to upper level counselors when necessary	Clarkston, MI
ADDITIONAL	<ul style="list-style-type: none">• Working toward Proficiency recognition in Spanish by UM Residential College Certification Program, currently on track• International Baccalaureate (IB) diploma holder	

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CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: STAFF MEMBER **TO:** CITY COUNCIL

Agenda Item Name: 120 Water Renewal

For Meeting on: 12/04/2023 **Staff Member/Committee Referring:** Trent Freeman

Description of the item:

Annual Software Subscription Renewal for the Lead and Copper Service Line Inventory

Attachments:

Proposal Attached.

Previous Committee Engagement:

(discussion, outcomes, recommendations, public comment)

None

Recommended Motion/Action:

None



120Water

EBR - NB - Deer Lodge - MT

Customer - City of Deer Lodge - MT
300 MAIN STREET, -
Deer Lodge, MT 59722
United States

Reference: 20231107-140013399
Quote created: November 7, 2023
Quote expires: December 8, 2023
Quote created by: Jon Garrison

jon@120water.com

Trent Freeman
tfreeman@cityofdeerlodgemt.gov
406-846-2238

Comments from Jon Garrison

Products & Services

Item Name & Description	Unit Price	Quantity	Term (months)
Pro - Public Water System Annual subscription PWS Pro package to manage programs and data. Unlimited users	\$5,810.00 / year	1	12
Annual subtotal			\$4,938.50 after \$871.50 discount
Total			\$4,938.50

Purchase terms

Fees will be billed on the Contract Start Date (Signature Date) and will be due net 30 days from the Invoice Date.

Invoice Terms:

Billing Street Address:

Billing City:

Billing State:

Billing Zip Code:

Billing Country:

Billing Notes (if applicable):

This Order Form, together with the Master Services Agreement available at <https://120water.com/master-services-agreement/> (the "MSA"), shall become a legally binding contract upon the earlier of (a) the date both parties execute the Order Form or (b) the date Customer initially began using the Services. Any capitalized word not otherwise defined in this Order Form shall have the same meaning as set forth in the MSA.

120Water may reject this Order Form if: (1) the signatory below does not have the authority to bind Customer to this Order Form, (2) changes have been made to this Order Form (other than completion of the purchase order information and signature block), or (3) the requested purchase order information or signature is incomplete or does not match our records or the rest of this Order Form. Subscriptions are non-cancelable before their end of the Term.

Signature

Signature

Date

Printed name

Countersignature

Countersignature

Date

Printed name

Questions? Contact me



Jon Garrison
jon@120water.com

120Water
250 S Elm St
Zionsville, IN 46077
US

Mayor
James Jess
Chief Administrative Officer
Jordan Green
City Attorney
Peter Elverum
City Clerk
Cyndi Thompson
Compliance Officer
Kody Ryan
Public Works Superintendent
Trent Freeman
Treasurer
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City Council
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Gordon Pierson

CITY COUNCIL/COMMITTEE AGENDA ITEM INFORMATION

THIS AGENDA ITEM REFERRED BY: STAFF MEMBER **TO:** CITY COUNCIL

Agenda Item Name: Airport Pasture Leases

For Meeting on: 12/04/2023 **Staff Member/Committee Referring:** Jordan Green

Description of the item:

The airport board leases lots for grazing to a few individuals. The airport board has signed off on the leases. County Attorney Kathryn McEnery has advised that the City and County approve the leases once they have been approved by the Airport Board. She asked that the City Council review and potentially approve these leases.

Attachments:

Two draft Airport Pasture Leases, lots 2 and 3.

Previous Committee Engagement:

(discussion, outcomes, recommendations, public comment)

None.

Recommended Motion/Action:

Approve the two Pasture Leases that have been approved by the Airport Board for Lots 2 and 3.

PASTURE LEASE AGREEMENT

THIS LEASE AGREEMENT is made on the ____ day of _____, 2023, by and between the DEER LODGE CITY & POWELL COUNTY AIRPORT BOARD (Landlord) and CIRCLE CROSS EQUINE, LLC, by Wade and Lonnie Murphy (Tenant).

TERMS & CONDITIONS

1. Property Description. Deer Lodge City/Powell County Airport Pasture Lot #2.
2. Lease Fee. \$1,100 USD.
3. Expiration of Lease. This is a one-year lease, beginning January 1, 2024, and ending December 31, 2024.
4. Automatic Extension. Upon payment of an additional Lease Fee before the expiration date, the term of the lease is extended for an additional year.
5. Further Extension. Additional extensions of the lease after a two-year period must be obtained by successful bid.
6. Termination. Either party may terminate this lease with a 30-day written notice to the other party.
7. Refund of Lease Fee. The lease fee is non-refundable.
8. Overgrazing Not Permitted. Tenant shall ensure that the property is not overgrazed and shall take necessary steps to correct an overgrazing situation. Maximum of eight (8) horses are permitted at a time. Continuous overgrazing shall be considered a violation of the terms of the lease and constitute grounds for termination.
9. Feedlot Not Permitted. Use of property as a feedlot shall be considered a violation of the terms of the lease and constitute grounds for termination.
10. Fencing, Structures and Irrigation. Tenant responsible for maintenance of fences. Tenant shall not build corrals or other structures without written consent. Tenant shall not irrigate land.
11. Notice of Violation. Written notice of a violation must be provided within 3 days. Violation must be addressed or corrected within 3 days.
12. Damage, Notice of Damage from Storm. Tenant not to commit damage or waste to property. Landlord not responsible for damage to Tenant's equipment, livestock or animals on the property. Tenant is to notify Landlord of storm or other natural damage to property within 24 hours of occurrence. Tenant is responsible for repairs to property caused by Tenant. Failure to repair shall be considered a violation of the terms of the lease.
13. Right of Entry. The landlord and its agents and employees reserve the right to enter the property at any reasonable time for purposes of consultation with the tenant,

repairs, improvements, inspections, and after notice of termination of the lease is given. Entry shall not interfere with tenant's regular operations.

14. Assignment. Assignment of the lease not permitted without written approval of Landlord.
15. Binding on Heirs. Lease shall be binding upon the heirs, executors, administrators, and successors of both Landlord and Tenant in like manner as upon the original parties.
16. Taxes. Tenant not responsible for property taxes on the lot.
17. Attachments. The approvals from the City/County Airport Board, Deer Lodge City Council, and Powell County Board of Commissioners are attached hereto and incorporated herein as part of this Lease.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year of this agreement first above written.

Tenant:

Landlord:

City of Deer Lodge

BY _____

As its _____

Powell County Board of Commissioners

BY _____

As its _____

Airport Board

BY _____

As its _____

COUNTY OF POWELL

MEETING OF THE COUNTY COMMISSIONERS

The undersigned being all of the Commissioners of Powell County, State of Montana, during a regular meeting of the Commissioners on ____ day of _____, 2023 approved the Lease with Circle Cross Equine, LLC, Wade and Lonnie Murphy on Lot #2 of the airport property by a vote of ____ for approval and ____ for disapproval and ____ abstaining by approving the following Resolution:

Resolved, that the Lease with _____ of which the Resolution is a part as Exhibit A is hereby approved by the Commissioners of Powell County after review and discussion.

In Witness Where Of, the undersigned have set their hands and seals effective as of this ____ day of _____, 2023.

Dan Sager, Presiding Officer
Powell County Board of Commissioners

CITY OF DEER LODGE
MEETING WITH THE CITY COUNCIL

The undersigned being the mayor and all of the members of the Council for the City of Deer Lodge in the County of Powell, State of Montana hereby acknowledge that during a regular meeting of the City Council on the _____ day of _____, 2023, attended by three of the Council members and the mayor that the following Resolution was approved by two of the Council Members:

Resolved, that the Lease with _____ of which this Resolution is a part as Exhibit A is hereby approved by the City Council of the City of Deer Lodge in Powell County, State of Montana, after review and discussion.

In Witness Where Of, the undersigned have set their hands and seals effective as of the _____ day of _____, 2023.

City Council Member

City Council Member

City Council Member

City Council Member

POWELL COUNTY AIRPORT BOARD

MEETING OF THE BOARD

The undersigned being all of the members of the Airport Board for the County of Powell, State of Montana hereby acknowledge that during a regular meeting of said Board on November 20, 2023, attended by a quorum of the members of the Airport Board, the Pasture Lease for Lot #3 with William Hogan was approved.

Resolved, that the Lease with Circle Cross Equine, LLC, Wade and Lonnie Murphy on Lot #2, of which this Resolution is a part, be submitted for approval by the City of Deer Lodge and the Board of the Powell County Commissioners as being valid and in effect.

In Witness Where Of, the undersigned has set his hand and seal effective as of the _____ day of _____, 2023.

Chairman of the Members of the Board

PASTURE LEASE AGREEMENT

THIS LEASE AGREEMENT is made on the ____ day of _____, 2023, by and between the DEER LODGE CITY & POWELL COUNTY AIRPORT BOARD (Landlord) and WILLIAM HOGAN (Tenant).

TERMS & CONDITIONS

1. Property Description. Deer Lodge City/Powell County Airport Pasture Lot #3.
2. Lease Fee. \$1,200 USD.
3. Expiration of Lease. This is a one-year lease, beginning January 1, 2024, and ending December 31, 2024.
4. Automatic Extension. Upon payment of an additional Lease Fee before the expiration date, the term of the lease is extended for an additional year.
5. Further Extension. Additional extensions of the lease after a two-year period must be obtained by successful bid.
6. Termination. Either party may terminate this lease with a 30-day written notice to the other party.
7. Refund of Lease Fee. The lease fee is non-refundable.
8. Overgrazing Not Permitted. Tenant shall ensure that the property is not overgrazed and shall take necessary steps to correct an overgrazing situation. Maximum of eight (8) horses are permitted at a time. Continuous overgrazing shall be considered a violation of the terms of the lease and constitute grounds for termination.
9. Feedlot Not Permitted. Use of property as a feedlot shall be considered a violation of the terms of the lease and constitute grounds for termination.
10. Fencing, Structures and Irrigation. Tenant responsible for maintenance of fences. Tenant shall not build corrals or other structures without written consent. Tenant shall not irrigate land.
11. Notice of Violation. Written notice of a violation must be provided within 3 days. Violation must be addressed or corrected within 3 days.
12. Damage, Notice of Damage from Storm. Tenant not to commit damage or waste to property. Landlord not responsible for damage to Tenant's equipment, livestock or animals on the property. Tenant is to notify Landlord of storm or other natural damage to property within 24 hours of occurrence. Tenant is responsible for repairs to property caused by Tenant. Failure to repair shall be considered a violation of the terms of the lease.
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repairs, improvements, inspections, and after notice of termination of the lease is given. Entry shall not interfere with tenant's regular operations.

14. Assignment. Assignment of the lease not permitted without written approval of Landlord.

15. Binding on Heirs. Lease shall be binding upon the heirs, executors, administrators, and successors of both Landlord and Tenant in like manner as upon the original parties.

16. Taxes. Tenant not responsible for property taxes on the lot.

17. Attachments. The approvals from the City/County Airport Board, Deer Lodge City Council, and Powell County Board of Commissioners are attached hereto and incorporated herein as part of this Lease.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year of this agreement first above written.

Tenant:

Landlord:

City of Deer Lodge

BY _____

As its _____

Powell County Board of Commissioners

BY _____

As its _____

Airport Board

BY _____

As its _____

COUNTY OF POWELL

MEETING OF THE COUNTY COMMISSIONERS

The undersigned being all of the Commissioners of Powell County, State of Montana, during a regular meeting of the Commissioners on ____ day of _____, 2023 approved the Lease with Will Hogan on the airport property by a vote of ____ for approval and ____ for disapproval and ____ abstaining by approving the following Resolution:

Resolved, that the Lease with _____ of which the Resolution is a part as Exhibit A is hereby approved by the Commissioners of Powell County after review and discussion.

In Witness Where Of, the undersigned have set their hands and seals effective as of this ____ day of _____, 2016.

Dan Sager, Presiding Officer
Powell County Board of Commissioners

CITY OF DEER LODGE
MEETING WITH THE CITY COUNCIL

The undersigned being the mayor and all of the members of the Council for the City of Deer Lodge in the County of Powell, State of Montana hereby acknowledge that during a regular meeting of the City Council on the ____ day of _____, 2023, attended by three of the Council members and the mayor that the following Resolution was approved by two of the Council Members:

Resolved, that the Lease with _____ of which this Resolution is a part as Exhibit A is hereby approved by the City Council of the City of Deer Lodge in Powell County, State of Montana, after review and discussion.

In Witness Where Of, the undersigned have set their hands and seals effective as of the _____ day of _____, 2023.

City Council Member

City Council Member

City Council Member

City Council Member

POWELL COUNTY AIRPORT BOARD

MEETING OF THE BOARD

The undersigned being all of the members of the Airport Board for the County of Powell, State of Montana hereby acknowledge that during a regular meeting of said Board on November 20, 2023, attended by a quorum of the members of the Airport Board, the Pasture Lease for Lot #3 with William Hogan was approved.

Resolved, that the Lease with William Hogan, of which this Resolution is a part, be submitted for approval by the City of Deer Lodge and the Board of the Powell County Commissioners as being valid and in effect.

In Witness Where Of, the undersigned has set his hand and seal effective as of the _____ day of _____, 2023.

Chairman of the Members of the Board