



PUBLIC WORKS COMMITTEE AGENDA

June 25, 2024 – 5PM | Council Chambers, City Hall.

- 1. Call meeting to order**
- 2. Approval of Minutes**
 - a. Regular Meeting: April 23, 2024 – No May Meeting
- 3. Public Comment** - Limit to three minutes per person
- 4. Old Business**
 - a. None
- 5. New Business**
 - a. Request for Abandonment of City Property Near 807 Montana Ave - Jordan
 - b. Public Works Report – Trent
- 6. Committee Comments or Concerns:**
- 7. Announcement of the next meeting:**
 - a. Regular Meeting: July 23, 2024, at 5 PM
- 8. Adjournment**

Public Works Committee

Garbage | Sewer | Streets | Trees | Wastewater | Water | City Parks

Members

Gordon Pierson (Chair) | John Molendyke | John Henderson

PUBLIC WORKS COMMITTEE MINUTES

April 23, 2024, at 5PM | Council Chambers, City Hall.

Members Present:	Gordon Pierson, John Molendyke
Members Absent:	John Henderson
Mayor:	None
CAO:	Jordan Green
Council Member:	None
Staff:	Trent Freeman,
Consultants:	None
Guests:	None

1. Call Meeting to Order

Chairman Pierson called the meeting to order at 5:00PM

2. Approval of Minutes

- a. Regular Meeting: March 26, 2024

Member Molendyke motioned to approve as presented. Chaiman Pierson seconded the motion. 2 Ayes, 0 Nos, 1 Absent. Motion passed.

3. Public Comment - Limit to Three Minutes Per Person

- a. None

4. Old Business

- a. None

5. New Business

- a. Department of Public Works Update – Trent
Received summary of ongoing and completed projects. Report accepted as presented.

- b. 2024 Street Maintenance Project Recommendation to Award – Trent
We had our bid opening for the 2024 Street Maintenance Project. There were 2 bidders, Helena Sand & Gravel and Jeffery Contracting. Helena Sand was the lowest bidder. Recommendation of award to Helena Sand and Gravel in the amount of \$469,512.00. Would like to add a 10% contingency for potential change orders for a total amount of \$516,500.00 and ask for a recommendation to Finance and City Council.

Chaiman Pierson motioned to approve as presented with recommendation to Finance and City Council. Member Molendyke seconded the motion. 2 Ayes, 0 Nos, 1 Absent. Motion passed.

- c. Pay Application #1 for Wastewater Improvements Project – Trent
This is for the I&I project which is fully grant funded. There is a substantial change order due to increased quantities and sewer main being inundated by ground water, plus a substantial gab between the pipe and the manhole which has been there for years.

The Pay Application #1 with associated Change Order submitted by MJD Contracting in the amount of \$404,772.39, asking for approval and a recommendation to Finance and City Council.

Chaiman Pierson motioned to approve as presented with recommendation to Finance and City Council. Member Molendyke seconded the motion. 2 Ayes, 0 Nos, 1 Absent. Motion passed.

- d. Wastewater Improvements Phase #2 Task Order for Grant Writing and Administration – Jordan
This scope of work will review the existing PER for the City’s Wastewater System to identify the scope of a Phase 2 Inflow and Infiltration reduction project. It also includes grant writing to the MCEP and RRGL programs to fund the project. Amount of the grant asks will be discussed at the next Finance and Council meeting. Total task order costs for grant prep is \$16,500.00, asking for approval and a recommendation to Finance and City Council.

Chaiman Pierson motioned to approve as presented with recommendation to Finance and City Council. Member Molendyke seconded the motion. 2 Ayes, 0 Nos, 1 Absent. Motion passed.

6. Committee Comments or Concerns:

- a. None

7. Announcement of the next meeting

- a. Regular Meeting: May 28, 2024, at 5PM

8. Adjournment

- a. Meeting adjourned at 5:09PM.

Prepared by Cyndi Thompson, City Clerk

Gordon Pierson, Chairman

Date

Public Works Committee

Garbage | Sewer | Streets | Trees | Wastewater | Water | City Parks

Members

Gordon Pierson (Chair) | John Molendyke | John Henderson

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
Curt Fjelstad
William Fox
Kirk Hayes
John Henderson
Robert Kersch
Rian King-Chavez
John J. Molendyke
Gordon Pierson

REQUEST FOR ABANDONMENT OF CITY OWNED PROPERTY REPORT

Requested Abandonment: An approximately 4,262.5 square foot section of the "Sledding Hill" City parcel adjacent to Lots 5 of Block A of the Mountain View Addition (807 Montana Avenue)

Request by: Scott and Lucinda Hoffman

Prepared by: Jordan Green – City of Deer Lodge Chief Administrative Officer

Prepared for: City of Deer Lodge Public Works Committee

June 25, 2024

Request:

Scott and Lucinda Hoffman, owners of the property at 807 Montana Avenue, have requested the City consider the abandonment of an approximately 4,262.5 square foot section of the "sledding hill" City parcel adjacent to their property.

Site Analysis:

The land requested for abandonment (site) is a non-rectangular portion of the sledding hill property (S4, T7N, R9W, City Park in Block A of the Mountain View Addition) that is adjacent to 807 Montana Avenue (S4, T7N, R9W, Lot 5 of Block A of the Mountain View Addition). The site consists of a rectangle 55 feet in width and 50 feet in depth, and a right triangle 55 feet in width and 55 feet in depth. The total area is estimated based on these dimensions at 4,262.5 square feet. The site, and all nearby properties, are in the R-1, Residential, Single-Family, Low-Density District.

The requested abandonment is bound on the western edge by the applicant's property, and the eastern edge by a fence and a row of vegetation. North of the site, the sledding hill quickly lowers in elevation. Generally, everything contained within the land requested for abandonment is flat, and other areas of the sledding hill parcel are sloped. There is a stand of Aspen trees within the site, and an informal driveway follows the eastern edge of the site from Montana Avenue to access the backyard of 807 Montana Avenue. The site is maintained by the applicants, and the fence delineates that portion of the City property from the area that is utilized as the sledding hill. There are no utilities that exist in this area.

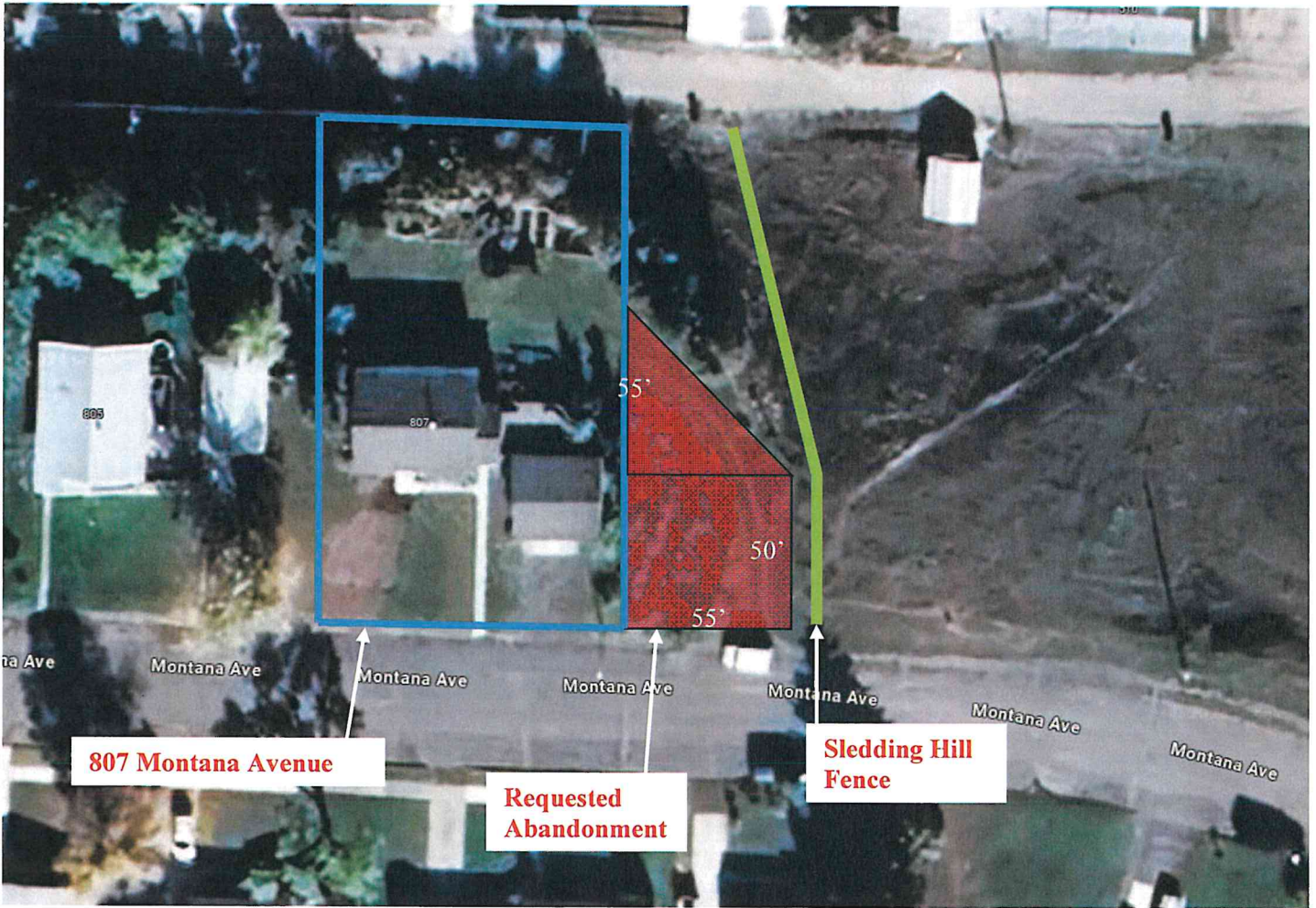
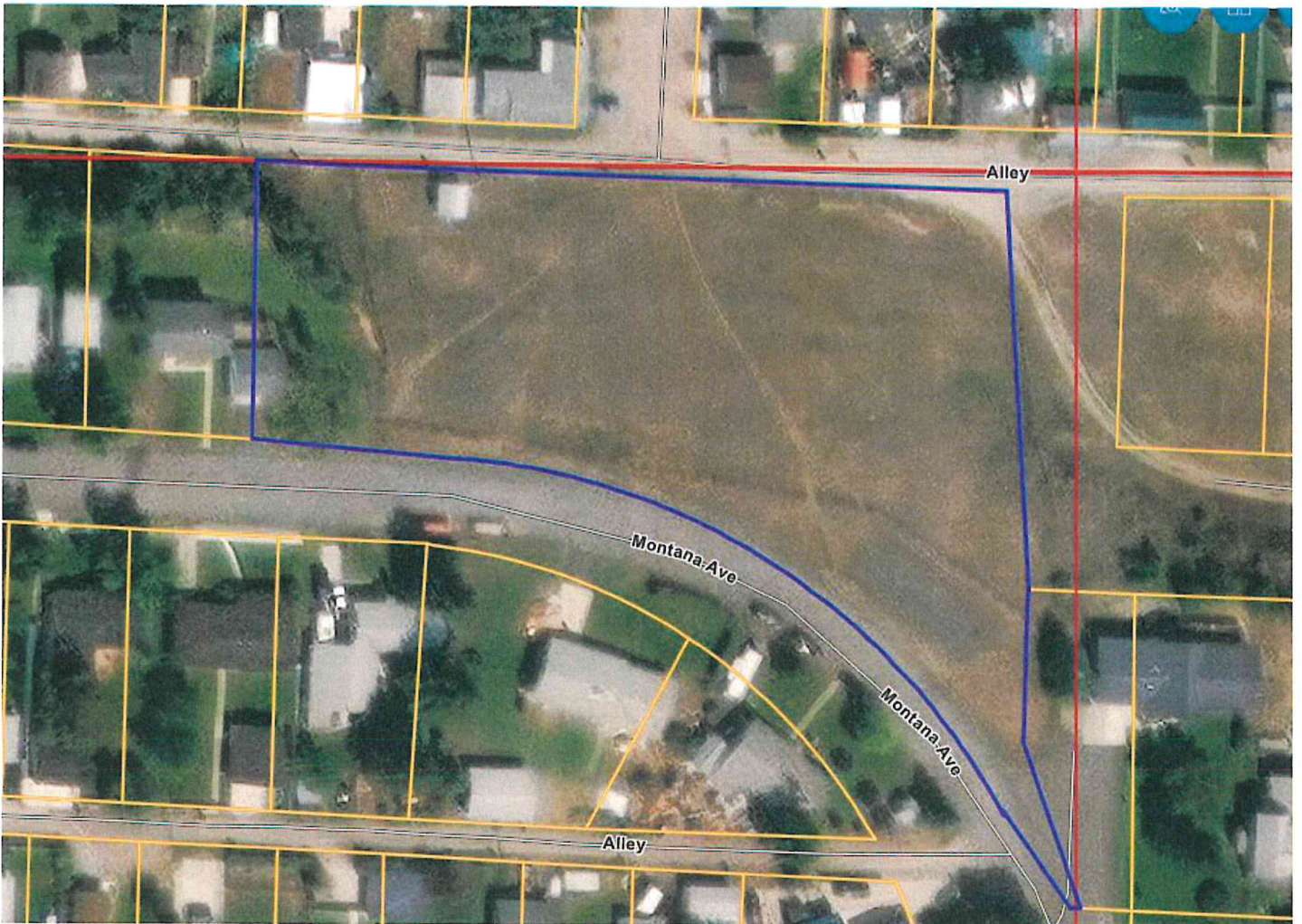


Exhibit showing the approximate boundaries of 807 Montana Avenue and the approximate area of requested abandonment.



Exhibit showing the approximate boundaries of the proposed abandonment.



Satellite view from Montana Cadastral. Please note that boundary lines are incorrect on cadastral. This image is included as it more clearly indicates the fence, vegetation, and area of the sledding hill parcel maintained by the applicants.

Abandonment Analysis:

Staff cannot find any current use of the site by either city employees or members of the public. There is no anticipated future use of the site, unless the City Council were to determine that the site could be utilized as additional park space should funding allow. However, the other flat parts of the park property may be better suited for public access, as they are closer to the road and more removed from adjacent residential properties (see the location of the old basketball court).

In addition, staff are aware that, many years ago, the City may have used National Parks Service Land and Water Conservation Fund (LWCF) monies to construct improvements on the sledding hill parcel. Current LWCF regulations require deed restrictions to be placed on any properties that dictate the land must remain as open recreation space in perpetuity. However, staff is not aware whether these restrictions are in place as they would be for a current LWCF-funded project and has never been able to find proof that a deed restriction was ever performed. Staff recommends that the Council require the applicants to perform title research to determine any applicable deed restrictions on the property. Staff is willing to help this process, but all title research fees should be paid by the applicant.

Based on this analysis, City Staff find no major impacts that would result from the abandonment request and recognize that the applicants have maintained the parcel for many years. Of highest concern are potential deed restrictions that may impact the sledding hill property. However, the approximately 4,262.5 square foot

property is the property of the taxpayers of the City of Deer Lodge, and the City should require compensation for the abandonment of public land. Staff approximated a sell price of \$13,725.25 to be attached to the deed for the benefit of the Public Works Committee and the City Council to recoup the loss of the public property.

This sell price was calculated as an average of the value per square foot of adjacent properties. The adjacent properties were selected on Montana Cadastral, which specifies every property's square footage. The 2024 appraisal of the land value for each property was divided by the number of square feet to calculate the value per square foot for each adjacent property. The average of these values was taken and applied to the square footage of the requested property abandonment. These calculations are shown below.

Adjacent Property	Square Feet	Land Taxable Value	Value/SF
West	13982	35672	2.55
North	8407	34823	4.14
South	11979	35415	2.96

Average value/SF 3.22

SF of Abandonment 4,262.5

**Abandonment
value \$13,725.25**

Staff Recommendation:

Staff recommends the abandonment of the City owned property described as the approximately 4,262.5 square foot portion of the sledding hill property as shown in this staff report to the applicant **for the sale price of \$13,725.25.**

Staff also recommends that the Council require the applicant to perform title research on both their property and the sledding hill property to determine whether this boundary line relocation and abandonment could occur based on any existing deed restrictions. Should there be any deed restrictions that impact or restrict this abandonment, then this abandonment request should be denied.

As the only adjacent property owner to the alley is the City of Deer Lodge, the applicant will not be required to get any letters of no contest to the abandonment.

Requiring a different sale price is at the discretion of the Public Works Committee and City Council.

Upon recommendation by the Public Works Committee, the petition will be scheduled for a duly noticed public hearing before the City Council in accordance with §7-1-4127, MCA. All public notice fees will be paid by the applicant. Should the Council resolve to sell the property by a two-thirds vote as required by §7-8-4201(2)a, MCA, the applicant will be responsible for contracting a licensed surveyor to perform a relocation of common boundaries, as well as generate a Quitclaim deed with the City of Deer Lodge to be filed with the Powell County Clerk and Recorder. These documents must be approved by the City and be in full adherence to City of Deer Lodge subdivision review exemption requirements. All surveyor, survey review, title fees, and filing fees will be the sole cost of the applicant.

Signed,

A handwritten signature in black ink, appearing to read 'Jordan Green', written in a cursive style.

Jordan Green – Chief Administrative Officer
June 21, 2024

Request for Abandonment of City Owned Property

ABANDONMENT: "TO NO LONGER HAVE ANY RIGHT TO A PROPERTY"

The giving up of ownership and any present or future rights to real property by the lawful owner. Governing entities have the power to abandon publicly owned property if it is determined that the best interest of the public will be served by transferring ownership from the public sector to the private sector or from one entity to another. If abandonment is granted, the deed will be filed with the Powell County Clerk and Recorder.

Name of Applicant: Scott & Lucina Hoffman
Address of Applicant: 807 MONTANA AVE
Telephone Number: 406-360-4064
Property description of land requesting to be abandon: APPROXIMATELY 55' OF
THE WEST BOUNDARY OF THE CITY PARK KNOWN AS
"THE SLEDDING HILL."
Ownership of adjoining property: CITY OF DEER LODGE

Letters that there are no objections to the abandonment must be received from at least 51% of adjoining property owners. N/A

Provide a site map indicating the property in question, with appropriate dimensions.

The city is required to publish a public notice in the local newspaper twice prior to the council meeting that action will be taken.

[Signature]
Signature of Applicant

6-11-24
Date

JORDAN GREEN
Received by

6-12-24
Date

Forwarded to PUBLIC WORKS Committee on JUNE 25, 2024

Note: Request will not be considered without proper information
Please allow at least four weeks lead time for preliminary review by the committee.
Advertising and filing fees will be billed to the applicant

City of Deer Lodge
300 Main Street
Deer Lodge MT 59722-1098

Site Map Explanation

We apologize for the quality of this site map. This was the best that Planning could do.

- (A) Represents what we believe is the actual property line.
- (B) Represents the approach presumably created by the Street Department
- (C) Represents the approximate line requested for abandonment.

If the actual property line for 807 Montana Ave sits at the edge of the garage in the picture (which is also the understanding of the property owner just west of 807 Montana Ave) then the property line is at, or near, a light pole located just east of the driveway approach at 807 Montana Ave. Based on this assumption, we measured from that point to the east side of the approach that would be part of the "Park" but actually is a driveway into the backyard of 807 Montana Ave.

If approved by the City Council, this abandonment would have NO impact on the Park or sledding hill.

The City has allowed for Aspen trees to overgrow the area in question and is now causing issues with the 807 Montana Ave property. With most properties in the area being well-kept, this section owned by the City, is obviously having an impact on local property values. Over the years, the prior property owners of 807 Montana Ave have made significant improvements to the section of property under consideration in the form of underground sprinklers, rock walls, grass, and vegetation. We will agree to bear the costs of clearing this section back to a reasonable and appealing section of the property. We estimate this cost to be approximately two-thousand dollars.

Jordan Green told me to look around at property values in the area in determination of what the value of this property would be. The best source I could think of was Grace at Powell County Title Company who told me she believed the property to have "0" value.

We agree to pay for the expenses in making this change, i.e. ads in the newspaper, surveying, and any other reasonable expenses the city may have for changing ownership.



ALLEY

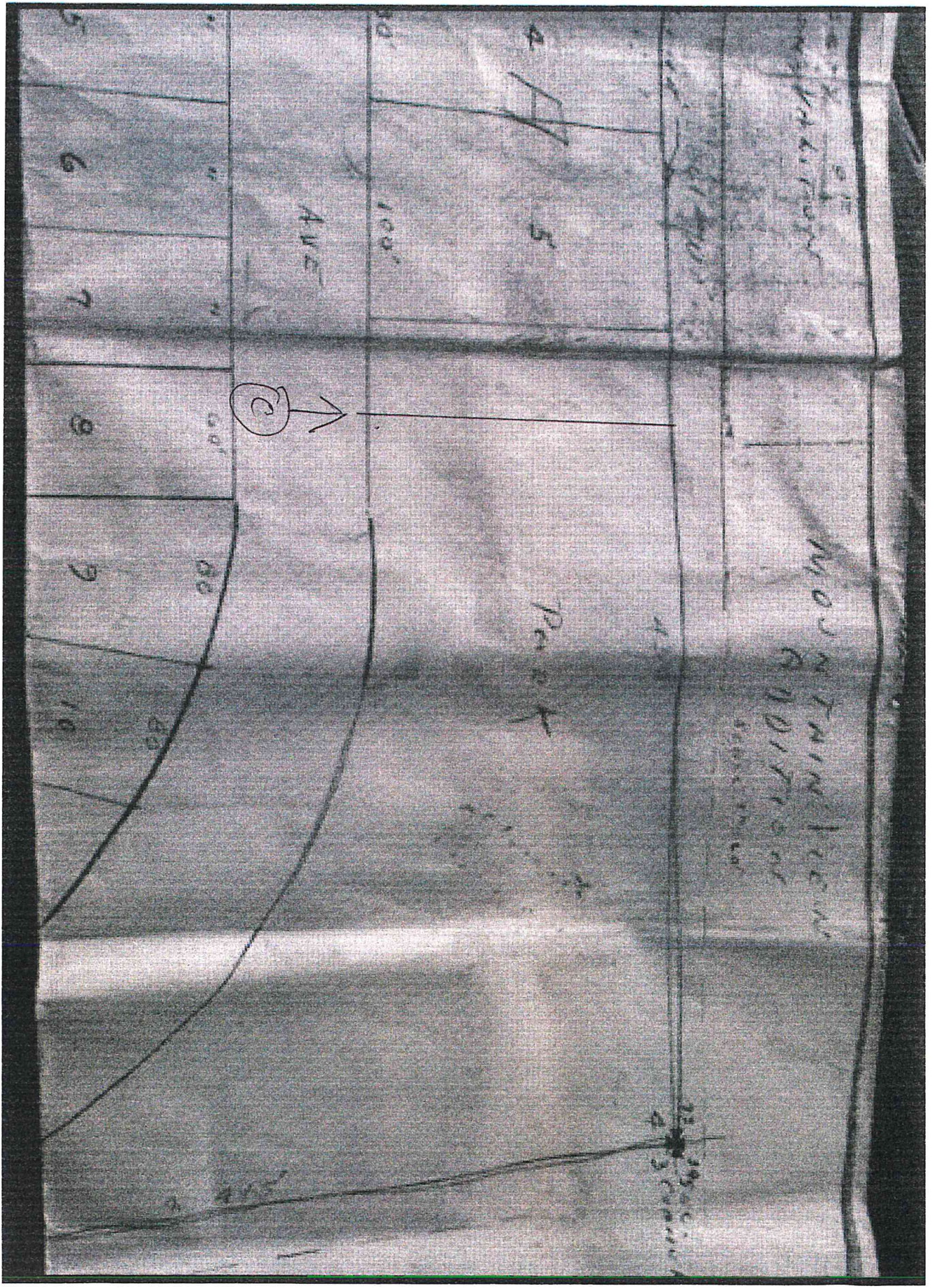


A

B

C

MONTANA AVE



CITY OF DEER LODGE

Public Works Report

May 2024

PROJECT SUMMARIES

Street Maintenance

- 2024 Street Maintenance Project has been awarded to Helena Sand and Gravel
- Sweeping Streets
- Grading Alleyways

Sewer Utility

- Annual Sewer Maintenance
- Jetting problem sewers
- Inflow and Infiltration project is approximately 61 percent complete. Here is a project summary of what has been completed and what is remaining. Three new sewer manholes have been installed. Two on Montana Avenue and one on Second Street. The sewer main line has been replaced from Rainbow Ave. to the south in the alley and a new sewer main has been installed from the new manhole in Rainbow, west to the Metro and a manhole abandoned at West St. The existing sewer was collapsed near the manhole at West St. and the manhole had no bottom and was infiltrating with a lot of groundwater into the sewer system. On the slip lining portion of the project, the 8" sewer main on Montana Ave. is complete. The 12" sewer main along Taylor Creek is complete. The 6" sewer main along Montana has been completed. The 6" Sewer Main along Taylor Creek has been completed. Remaining for the project, which construction will occur in July, is the storm water tank and piping to separate the Rialto Theatre's ground water pumping into the sewer main. Northwestern Energy has the pedestal for the Rialto lift station wired in. Once the tank is in place, the contractor's electrician will connect the electrical to that pedestal. The lining of the lift station and some additional electrical work and piping have been completed
- Working with Morrison-Maierle for the Individual Permit Variance at the Wastewater Treatment Plant and the extension of the Administrative Order of Consent for the permit.
- Attending monthly meetings with all stakeholders for the Inflow and Infiltration project

Parks and Rec

- Moving forward with Brad and the Cemetery inmates taking care of mowing the parks

Water

- The first phase of the new Public Water Supply Well is complete. The stainless steel slotted screen has been installed and O'Keefe has completed the well development. The 72 hour pump test has been completed and the well can potentially produce above 1000 gallons per minute. We have received the water quality test results on the new well.

Tests came back good. Next steps will be the design for the well house and the tie-in into the distribution system. Anticipated completion 2025

- Working with Hydrosolutions on potential redundant water rights transfer to the new well

Solid Waste

- New garbage truck has been ordered
- Brake Job had to be done on the Peterbilt

Mosquito Abatement

- Nothing to report

INTEREST ITEMS FOR CITY COUNCIL

- With nearly 61 percent of the Inflow and Infiltration completed, it is my estimation that influent flows to the Wastewater Treatment Plant have decreased approximately 40,000 to 50,000 gallons per day which equates to approximately 150 single family residential homes
- Ongoing correspondence with the Developers for the Beaumont Place Addition Subdivision
- Internal Boiler Inspection completed early this year
- Continued meetings regarding the Bio-Char facility on the old Milwaukee Roundhouse site
- Meeting regarding the potential for a Renewable Diesel Industrial Project on Sun Mountain Lumber Property
- Sent Thad to safety training from the Midwest Assistance Program

COVID-19 RESPONSE

Currently the Public Works Crew is moving forward on anticipated projects while working safely, practicing enhanced hygiene, and using personal protective equipment as directed.