

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
JANUARY 6, 2016
7:30 P.M. COURTHOUSE COUNCIL CHAMBERS

ROLL CALL

PRAYER

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING, DECEMBER 9, 2015 AND
THE REGULAR MEETING, DECEMBER 16, 2016.

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

SECTION 1 CONSENT AGENDA

- A. 1. COMMITTEE OF THE WHOLE MEETING REPORT
- 2. JUDICIARY COMMITTEE MEETING REPORT
- 3. PUBLIC WORKS COMMITTEE MEETING REPORT
- 4. FINANCE AND BUDGET COMMITTEE MEETING REPORT
- 5. ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT

- B. COMMUNICATIONS

- 1. [16-1](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council's authorization to give a Presentation on January 13, 2016 regarding the Stodden Park Pool conceptual design and cost analysis. *Recommendation: Schedule a Presentation on January 13, 2016 and Hold in the Committee of the Whole.*

- 2. [16-2](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council's authorization for the Chief Executive to sign an agreement with Elkhorn Electrical Corporation for the bid award for the Miner's Field Lighting Project. [Agreement](#) *Recommendation: Concur and Place on File.*

- 3. [16-3](#) Harriet Schultz, Support Services Technician, Butte-Silver Bow Archives, requesting Council's authorization for a listing of records to be destroyed to be submitted to the Local Government Records Commission. [Records Listing](#) *Recommendation: Concur and Place on File.*

- 4. [16-4](#) Ellen Crain, Director, Butte-Silver Bow Public Archives, requesting Council's authorization for the Chief Executive to sign an agreement with the Montana Arts Council to accept grant funds. [Agreement](#) *Recommendation: Concur and Place on File.*



5. [16-5](#) Ellen Crain, Director, Butte-Silver Bow Public Archives, requesting Council's authorization for the Chief Executive to sign an agreement allowing the Clark Chateau to take items on consignment and sell them for a profit. [Agreement](#) *Recommendation: Concur and Place on File.*
6. [16-6](#) Andrew Zdinak, Marketing Director, BLDC, requesting Council's concurrence with a loan to GMR Holding LLC. Agreement is Confidential and can be reviewed in the Clerk and Recorder's Office. *Recommendation: Concur and Place on File.*
7. [16-7](#) Gary Keeler, Manager, Butte-Silver Bow Transit, requesting Council's authorization for a Public Hearing on January 13, 2106 to give an annual update on Butte-Silver Bow's para-transit plan. *Recommendation: Schedule a Public Hearing on January 13, 2016 and Hold in the Committee of the Whole.*
8. [16-8](#) Pat Munday, Mai Wah Society, Inc., requesting Council's authorization for street closures to conduct the 2016 Chinese New Year Parade and receive a fee exemption. [Special Event](#) [Approval Pending Verification of Liability Insurance](#) *Recommendation: Refer to the Committee of the Whole.*
9. [16-9](#) Jessica Stevens, Human Resources Specialist, Butte-Silver Bow Human Resources Department, requesting Council's authorization for the Chief Executive to sign agreements with Spherion and Express. [Spherion Agreement](#) [Express Agreement](#) *Recommendation: Concur and Place on File.*
10. [16-10](#) Patsy Coates, Property Specialist, BSB Land Records, requesting Council approve the Tax Deed Sale Public Auction to be held on January 17, 2016 and ask the County Attorney to prepare Council Resolution for approving the sale of certain parcels of the Tax Deeded Real Properties owned by Butte-Silver Bow. *Recommendation: Concur with request, ask the County Attorney to prepare a Resolution and hold in the Committee of the Whole.*
11. [16-11](#) Jessica Stevens, Human Resources Specialist, Butte-Silver Bow Human Resources Department, requesting Council authorize the Chief Executive to sign the Corrected Butte Police Protective Association union Contract. [Agreement](#) *Recommendation: Concur and Place on File.*
12. [16-12](#) Chief Executive Matt Vincent, requesting Council's concurrence in reappointments to the Board of Health. *Recommendation: Concur and Place on File.*
13. [16-13](#) Chief Executive Matt Vincent, requesting Council's concurrence in reappointments to the Animal Services Board. *Recommendation: Concur and Place on File.*

SECTION 2 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

I. RESOLUTION NO. [16-1](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY LOCATED IN THE MONTANA CONNECTIONS BUSINESS DEVELOPMENT PARK,



GENERALLY DESCRIBED AS SILICON MOUNTAIN NO. 1 MINOR SUBDIVISION, SECTION 24, TOWNSHIP 03 N, RANGE 09 W, LOT 3B (COS 940B-RW), WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE PURPOSE OF COMMUNITY DEVELOPMENT IN ACCORDANCE WITH THE PROCEDURES OF BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. ORDINANCE NO. [16-1](#)

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPEED LIMIT"; ESTABLISHING A 15 MPH SPEED LIMIT ON WEST GRANITE STREET FROM WESTERN AVENUE ON THE EAST TO MAY STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 3 ORDINANCES AND RESOLUTIONS
FINAL READING

1. RESOLUTION NO. [15-48](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS LOT NINETEEN (19) BLOCK FOUR (4) OF THE MONTANA AVENUE ADDITION, (PORTION OF PARCEL NO. 1419800) LYING IN THE SOUTHEAST ONE QUARTER OF SECTION TWENTY FOUR (24), TOWNSHIP THREE (3) NORTH, RANGE EIGHT (8) WEST, (ADJACENT TO THE NORTH OF THE PROPERTY AT 2221 S. MAIN STREET) TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. RESOLUTION NO. [15-49](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE ASPEN MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 4 SUSPENSION OF THE RULES
FOR FINAL PASSAGE

1. RESOLUTION NO. [16-2](#)

A RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF TWENTY (20) SELF-CONTAINED BREATHING APPARATUSES FOR THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA'S ("BSB") FIRE DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

January 7	East Butte RRA	9:00 AM	1 st Floor Conference Room
January 7	Civic Center	12:00 PM	Civic Center Hospitality Room
January 8	TIFID	12:00 PM	Business Development Center
January 11	Archives	12:00 PM	Archives Center
January 12	Fire Advisory Council	5:00 PM	1st Floor Conference Room
January 12	Weed Board	7:00 AM	Weed Department
January 13	Fair Board	5:30 PM	Business Development Center
January 14	Greenway Service Dist Board	4:30 PM	Butte 1 st Floor Conference Room
January 13	Law Enforcement Commission	4:00 PM	Chief Executive Conf Room
January 13	Library	5:00 PM	3 rd Flr Library Building
January 19	Housing Authority	5:00 PM	New Deal Community Center
January 19	Parks & Recreation	5:00 PM	1 st Floor Conference Rm
January 19	Technical Review Committee	1:30 PM	3 rd Floor Water Building
January 19	Urban Forestry Board	1:00 PM	Business Development Center
January 20	Parking commission	3:00 PM	Chief Executive Conf Rm

ADJOURN _____



**ECONOMIC DEVELOPMENT COMMITTEE MEETING
JANUARY 6, 2016
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

SECTION 1 COMMUNICATION NO. [14-593](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council's authorization for the Distressed Property Management Report to be referred to the Economic Development Committee for review and recommendations to Council.

SECTION 2 COMMUNICATION NO. [15-419](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting the Economic Development Committee be allowed to interview area contractors and business owners to determine if Butte-Silver Bow policies are working or if changes are needed.

SECTION 3 COMMUNICATION NO. [15-524](#)

Bill Andersen, Butte-Silver Bow Commissioner, District No. 10, inviting the Tourism Business Improvement District Board to the Economic Development Committee Meeting on December 16, 2015 for a review of Municipal Code 2.90.



COMMITTEE OF THE WHOLE MEETING REPORT

DECEMBER 23, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION 1 PRESENTATION COMMUNICATION [15-537](#)

KAREN BYRNES, DIRECTOR, BUTTE/SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT, REQUESTING COUNCIL'S AUTHORIZATION FOR A PRESENTATION ON DECEMBER 23, 2015 REGARDING THE BUTTE ECONOMIC GARDENING PROJECT.

Presentation Postponed.

SECTION 2 PRESENTATION COMMUNICATION [15-555](#)

J.P. GALLAGHER, DIRECTOR OF BUTTE/SILVER BOW PARKS & RECREATION DEPARTMENT REQUESTING COUNCIL'S AUTHORIZATION TO GIVE A PRESENTATION ON DECEMBER 23, 2015 REGARDING THE FESTIVAL AND FAIR COST BREAKDOWN.

Presentation Held.

SECTION 3 COMMUNICATION NO. [15-356](#)

Kenneth and Michelle Palmer, 936 Zarelda Street, Butte, MT., requesting Council's authorization to purchase county-owned property under the adjacent landowner policy. [Map](#)

Recommendation: Hold in Abeyance.

SECTION 4 COMMUNICATION NO. [15-415](#)

Robert A. Macioroski, Director, Butte-Silver Bow Land Office, requesting Council's authorization for the sale of county-owned property under the Adjacent Landowner Policy and for Council to ask the County Attorney to prepare the resolution and deed for the transfer of the property. [Property Transmittal Form](#)

Recommendation: Cross-Reference with Resolution No. 15-48 and Place on File.

SECTION 5 COMMUNICATION NO. [15-470](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting a crosswalk installed on Center Street, speed zone signs to be installed on Center Street, a tree on the Corner of Buffalo and Main Streets to be trimmed, and review of the Alarm at the Fire Station.

Recommendation: Hold in Abeyance.



SECTION 6 COMMUNICATION NO. [15-490](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's recommendation to approve Council Communication # 15-460 request from Blain Brown to purchase City-County property under the adjacent Landowner Policy. [Map](#)

Recommendation: Hold in Abeyance.

SECTION 7 COMMUNICATION NO. [15-498](#)

Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council's authorization to hold a Public Hearing on November 18, 2015 regarding the proposed sole source purchase of twenty self-contained breathing apparatus for the Butte-Silver Bow Fire Department.

Recommendation: Hold in Abeyance.

SECTION 8 COMMUNICATION NO. [15-525](#)

Kellee Anderson, Extension Agent, Butte-Silver Bow Extension Office, requesting Council's authorization for the Chief Executive to sign an agreement with Montana State University Extension Office. [Agreement](#)

Recommendation: Hold in Abeyance.

SECTION 9 COMMUNICATION NO. [15-527](#)

Kevin Kenneally, Town Pump, Inc., requesting Council's concurrence in the donation of property to Butte-Silver Bow.

Recommendation: Cross-Reference with Resolution No. 15-47 and Place on File.

SECTION 10 COMMUNICATION NO. [15-537](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization for a Presentation on December 23, 2015 regarding the Butte Economic Gardening Project.

Recommendation: Hold in Abeyance.

SECTION 11 COMMUNICATION NO. [15-550](#)

Edward Pape of Mr. Ed's Saloon, requesting Council incorporate a means for the Chief Executive and BSB Council of Commissioners to answer questions presented by the Public.

Recommendation: Note and Place on File.

SECTION 12 COMMUNICATION NO. [15-555](#)

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council's authorization to give a Presentation on December 23, 2015 regarding the festival and fair cost breakdown.

Recommendation: Place on File.



SECTION 13 COMMUNICATION NO. [15-558](#)

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Board, requesting a Public Hearing on January 13, 2016 for the preliminary plat of the Copper Fox Estates.

Recommendation: Hold in Abeyance.

Committee Members:

Dan Foley	<i>Present</i>	Dennis Henderson	<i>Present</i>
Cindy Perdue-Dolan	<i>Present</i>	Dave Palmer	<i>Present</i>
Sheryl Ralph	<i>Present</i>	Bud Walker	<i>Present</i>
Brendan McDonough	<i>Present</i>	John Sorich	<i>Present</i>
Bill Andersen	<i>Present</i>	John Morgan, Vice-Chairman	<i>Present</i>
Jim Fisher	<i>Present</i>	Cindi Shaw, Chairman	<i>Absent</i>



JUDICIARY COMMITTEE MEETING REPORT

DECEMBER 23, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Judiciary Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [15-8](#)

Brendan McDonough, Butte-Silver Bow Commissioner, District No. 8, requesting the County Attorney draft a "Vacant Property Registration" ordinance for Butte-Silver Bow.

Recommendation: Hold in the Committee.

SECTION 2 COMMUNICATION NO. [15-539](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization to recommended changes of Ordinance 2.72. [Proposed Changes](#)

Recommendation: Hold in the Committee.

SECTION 3 RESOLUTION NO. [15-48](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS LOT NINETEEN (19) BLOCK FOUR (4) OF THE MONTANA AVENUE ADDITION, (PORTION OF PARCEL NO. 1419800) LYING IN THE SOUTHEAST ONE QUARTER OF SECTION TWENTY FOUR (24), TOWNSHIP THREE (3) NORTH, RANGE EIGHT (8) WEST, (ADJACENT TO THE NORTH OF THE PROPERTY AT 2221 S. MAIN STREET) TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Recommendation: Move to Final Reading.

SECTION 4 RESOLUTION NO. [15-49](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE ASPEN MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Recommendation: Move to Final Reading.



SECTION 5 CLAIM APPROVAL

NAME	AMOUNT	RECOMMENDATION
Rick Tilstra	\$400.00	<i>Approved</i>

Committee Members:

Bud Walker, Chairman	<i>Present</i>
Bill Andersen, Vice-Chairman	<i>Present</i>
Dave Palmer	<i>Present</i>
John Sorich	<i>Present</i>
Cindy Perdue-Dolan	<i>Present</i>
Brendan McDonough	<i>Present</i>



PUBLIC WORKS COMMITTEE MEETING REPORT

DECEMBER 23, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Public Works Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [15-469](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting review of Dumpsters encroaching on the Public Right of Way.

Recommendation: Dave Schultz advised he is working with McGree's to remove the dumpsters. Commissioner McDonough asked Dave for McGree's to give a list so Dave and Nick can check it out. Hold in Abeyance.

SECTION 2 COMMUNICATION NO. [15-509](#)

Cindi Shaw, Butte-Silver Bow Commissioner, District No. 11, requesting the Public Works Committee review the possible need of speed limit signs, school zone signs and a designated painted crosswalk in the 1200 block of West Granite.

Recommendation: Nick advised again he will work with the county attorney on the new 15 mph. we will wait for the county attorney. Striping will get done in the spring along with the crosswalk. Hold in Abeyance.

SECTION 3 COMMUNICATION NO. [15-552](#)

Cindi Shaw, Butte-Silver Bow Commissioner, District No. 11, requesting a review of the possibility of placing a flashing red signal light at the intersection of Granite and Main Streets. [Letter](#)

Recommendation: Lee Alt from MDT advised he and the MDT Traffic Staff are working on traffic devices to put in the location. He will advise of the options. Hold in Abeyance.

Committee Members:

Dennis Henderson, Chairman	Present
Sheryl Ralph, Vice-Chairman	Present
Brendan McDonough	Present
Bud Walker	Present
Jim Fisher	Present
Dan Foley	Present



FINANCE & BUDGET COMMITTEE MEETING REPORT DECEMBER 23, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW
COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Finance and Budget Committee, respectfully recommend as follows:

Expenditure report for the week of December 23, 2015 was reviewed for the amount of \$1,383,888.54.

Committee Members:

John Sorich, Chairman	<i>Present</i>
Jim Fisher, Vice-Chairman	<i>Present</i>
Brendan McDonough	<i>Present</i>
Bill Andersen	<i>Absent</i>
Dennis Henderson	<i>Present</i>
Cindy Perdue-Dolan	<i>Present</i>



ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT DECEMBER 16, 2016

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW
COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Economic Development Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [14-593](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council's authorization for the Distressed Property Management Report to be referred to the Economic Development Committee for review and recommendations to Council.

Recommendation: Hold in Abeyance.

SECTION 2 COMMUNICATION NO. [15-419](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting the Economic Development Committee be allowed to interview area contractors and business owners to determine if Butte-Silver Bow policies are working or if changes are needed.

Recommendation: Hold in Abeyance.

SECTION 3 COMMUNICATION NO. [15-524](#)

Bill Andersen, Butte-Silver Bow Commissioner, District No. 10, inviting the Tourism Business Improvement District Board to the Economic Development Committee Meeting on December 16, 2015 for a review of Municipal Code 2.90.

Recommendation: Hold in Abeyance.

Committee Members:

Dave Palmer, Chairman	Absent
John Sorich, Vice- Chairman	Present
Dan Foley	Present
Sheryl Ralph	Absent
Cindy Perdue-Dolan	Present
Bill Andersen	Present

