

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
JANUARY 20, 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 REGULAR MEETING, JANUARY 6 , 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

B. COMMUNICATIONS

1. [16-14](#) Ed Randall, Director, Community Enrichment Department, requesting Council's authorization to give an Update on the Butte-Silver Bow Community Enrichment Department on Regular Meeting Agenda on February 3, 2016. *Recommendation: Refer to the Committee of the Whole for Presentation on February 3, 2016*
2. [16-15](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization for the Chief Executive to sign an agreement with Gruber Masonry. [Agreement](#). *Recommendation: Concur and Place on File.*
3. [16-16](#) Linda Sajor, Manager, Butte-Silver Bow Information Technology and Services, requesting Council's authorization for the Chief Executive to sign a maintenance agreement with Rocky Mountain Solutions (formerly S&K Global Solutions) [Agreement](#) *Recommendation: Concur and Place on File.*



4. [16-17](#) Ed Fisher, Chief Boulevard Fire Department, requesting Council's authorization for the Chief Executive to sign two FEMA Grants in January, 2016. *Recommendation: Concur and Place on File.*
5. [16-18](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization for the Chief Executive to enter into a contract with Petunia Factory for the services of Flower Maintenance Coordination. [Agreement](#). *Recommendation: Concur and Place on File.*
6. [16-19](#) Dan Dennehy, Director, Emergency Management Agency, requesting Council's authorization for the Chief Executive to sign a Mutual Aid Agreement with the Town of Walkerville. [Agreement](#). *Recommendation: Concur and Place on File.*
7. [16-21](#) David Schultz, Director, Butte-Silver Bow Public Works Department, requesting time on the February 3, 2016 Regular meeting Agenda for Council of Commissioners to take a Final Vote on the selection of the new location for the County shop site. *Recommendation: Refer to the Committee of the Whole.*
8. [16-22](#) The Butte Community Fitness Foundation and S.H.G.F. Productions requesting Council's permission to hold SNOFLINGA, a Community sponsored event on January 29th to January 31st, 2016 to celebrate winter. [Approval Pending Verification of Liability Insurance](#). *Recommendation: Refer to Committee of the Whole.*
9. [16-23](#) Jon Sesso, Director, Butte-Silver Bow Planning Board, requesting Council's authorize the Chief Executive to sign an updated Memorandum of Agreement with the Montana Department of Transportation regarding the functions of the Butte Transportation Coordinating Committee. [Agreement](#). *Recommendation: Concur and Place on File.*
10. [16-24](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council authorize the Chief Executive and the Finance & Budget Director to execute the letter of engagement with DA Davidson relating to the potential offering and issuance of General Obligation Bond for a new aquatic facility. [Engagement Letter](#). *Recommendation: Concur and Place on file.*
11. [16-25](#) Joseph E Lee, President, Ancient Order of Hibernians, Division No 1, requesting Council authorize the Chief Executive to sign a Proclamation designating March, 2016 as Irish American Heritage Month. [Proclamation](#). *Recommendation: Concur and Place on File.*
12. [16-26](#) Sally Hollis, Butte-Silver Bow Clerk and Recorder, requesting Council authorize the Chief Executive to sign Purchase Order # 1606648 to Heritage Bookbinding for preservation service to our Land Record Department. [Purchase Order](#). *Recommendation: Concur and Place on File.*
13. [16-27](#) Craig T. Williams of 803 North Main, Butte, MT requesting Council's authorization to purchase county-owned property under the adjacent landowner policy. *Recommendation: Refer to Land Sales Committee.*



14. [16-28](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council authorize the Chief Executive to sign the Amendment Number One to Task Order # 15-07-4-51-003-0 of the HIV Prevention Contract. [Task Order](#).
Recommendation: Concur and Place on File.
15. [16-29](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council authorize the Chief Executive to sign the Amendment Number One to Task Order # 16-07-4-31-143-0 of the Immunization Program Contract. [Task Order](#).
Recommendation: Concur and Place on File.
16. [16-31](#) Linda Lowney, Butte Cares inc Executive Director, requesting Council's concurrence with a Business License Exemption due to a 501c3 filing Status. *Recommendation: concur and Place on file.*
17. [16-32](#) Cindi Shaw, Butte-Silver Bow Commissioner, District No. 11, requesting Council start the process of selecting an Interim Treasurer for the City-County of Butte-Silver Bow, MT. *Recommendation: Refer to the Committee of the Whole.*
18. [16-33](#) Jim Fisher, Butte-Silver Bow Commissioner, District No. 6, requesting Council look at the Fairness or the Unfairness of Council members being on Staggered terms for Elections. *Recommendation: Refer to the Committee of the Whole.*
19. [16-34](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council approval of a resolution authorizing a ballot issue presented to Voters on June 7, 2016. *Recommendation: Refer to the Committee of the Whole*
20. [16-35](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Board, recommending that Council conditionally approve the Preliminary Plat of the Copper Fox Estates. *Recommendation: Concur and Place of File.*
21. [16-36](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign a Memorandum of Understanding between the National Association of Chronic Disease Directors (NACDD) and Butte-silver Bow. [MOU](#). *Recommendation: Concur and Place on File.*



SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

[16-20](#) David Schultz, Director, Butte-Silver Bow Public Works Department, requesting time on the January 20, 2016 Regular Meeting Agenda to give information to Council of Commissioners on the relocation of the County Shop Complex.

[16-30](#) Chief Executive Matt Vincent, requesting Council's concurrence in the appointment of Ms Leslie Clark as Director of the Human Resources Department.

SECTION 4 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. RESOLUTION NO. [16-4](#)

SUPPLEMENTAL RESOLUTION RELATING TO \$10,268.00 SEWER SYSTEM REVENUE BOND (DNRC WATER POLLUTION CONTROL STATE REVOLVING LOAN PROGRAM) SERIES 2016.

SECTION 5 ORDINANCES SECOND READING

1. ORDINANCES [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 6 ORDINANCES AND RESOLUTIONS FINAL READING

1. 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.



PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

January 26, 2016	Port of Montana	12:00 pm	Hub Center, Silver Bow
January 27, 2016	Local Emergency Planning	12:00 pm	1 st Floor Conference Rm
January 27, 2016	Urban revitalization	8:30 am	1 st Floor Conference Rm
January 28, 2016	Planning Board	5:30 pm	Council Chambers
February 2, 2016	Historic Perseveration	5:30 pm	Council Chambers
February 3, 2016	Board of Health	7:00 am	Health Department

ADJOURN _____



COMMITTEE OF THE WHOLE MEETING REPORT JANUARY 13, 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 PUBLIC HEARING 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. *Presentation Held.*

SECTION 2 PRESENTATION COMMUNICATION NO. [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.
Presentation Held

SECTION 3 PUBLIC HEARING COMMUNICATION NO. [16-7](#)

GARY KEELER, MANAGER, BUTTE SILVER-BOW TRANSIT REQUESTING COUNCIL'S
AUTHORIZATION FOR A PUBLIC HEARING ON JANUARY 13, 2015 TO GIVE AN ANNUAL
UPDATE ON BUTTE-SILVER BOW PARA-TRANSIT PLAN. *Presentation Held.*

SECTION 4 PETITION NO. [14-3](#)
Michael A. Nasheim, Building Official, Building Code Department, requesting Council's
authorization for a petition to close and vacate that portion of Eagle Street located in the
Northern Pacific Addition adjacent to Lot 11 in Block 20. [Petition](#) [Signatures](#) [Map](#) .
Recommendation: Refer to Public Works Committee

SECTION 5 COMMUNICATION NO. [14-592](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council's
consideration to expand the no-shoot boundary within Butte-Silver Bow. *Recommendation:*
Hold in Abeyance.



SECTION 6 COMMUNICATION NO. [15-264](#)

Francis P. McGee, 125 West Granite Street, Butte, MT., requesting Council work with the residents in the Clark's Park area to enforce noise restrictions, prohibitions against folf in the park and enforce the 10 PM closure time. [Projectile Petition](#) [Noise Petition](#) [Letters of Support](#).

Recommendation: Note and Place on File.

SECTION 7 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 8 COMMUNICATION NO. [15-395](#)

John P. Morgan, Butte-Silver Bow Commissioner, District No.3, requesting a review of possibly placing a left turn arrow at the intersection of Montana Street and Front and Centennial while heading north.

Recommendation: Move to Suspense File until Spring.

SECTION 9 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 10 COMMUNICATION NO. [15-490](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's recommendation to approve3 Council communication # 15-46 request from Blain Brown to purchase City-County property under the adjacent Landowner Policy. [Map](#)

Recommendation: Hold In Abeyance.

SECTION 11 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: Place on File.*

SECTION 12 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: Concur and Place on File.*



SECTION 13 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 – Waiting for New Date for Presentation..*

SECTION 14 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: Place on File.*

SECTION 15 COMMUNICATION NO. [16-7](#)

Gary Keeler, Manager, Butte-Silver Bow Transit, requesting Council’s authorization for a Public Hearing on January 13, 2016 to give an annual update on Butte-Silver Bow’s para-transit plan. *Recommendation: Place on File.*

SECTION 16 COMMUNICATION NO. [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: Hold in Abeyance.*

SECTION 17 COMMUNICATION NO. [16-10](#)

Patsy Coates, Property Specialist, BSB Land Records, requesting Council approve the Tax Deed Sale Public Auction to be held on February 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: Refer to the Committee of the Whole.*

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>Absent</i>
Bill Andersen	<i>Present</i>	John Morgan, Vice-Chairman	<i>Present</i>
Jim Fisher	<i>Present</i>	Cindi Shaw, Chairman	<i>Present</i>



JUDICIARY COMMITTEE MEETING REPORT

JANUARY 13, 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: Ask the County Attorney to draft a Vacant Building Ordinance and introduce it to Council.*

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 Abeyance.*

SECTION 3 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. *Recommendation: Move to Final Reading.*

SECTION 4 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. *Recommendation: Move to Second Reading.*

Cittee Members:

Bud Walker, Chairman
Bill Andersen, Vice-Chairman
Dave Palmer
John Sorich
Cindy Perdue-Dolan
Brendan McDonough



PUBLIC WORKS COMMITTEE MEETING REPORT JANUARY 13, 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. [15-416](#)

Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council consider the traffic signal removal at the intersection of East Broadway and North Wyoming and ask the County Attorney to update the ordinance regarding traffic control signals. *Recommendation: Place on File.*

SECTION 2 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: Note and Place on File.*

SECTION 3 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: Cross Reference with Communication No. 16-1 and Place on File.*

SECTION 4 COMMUNICATION NO. [15-552](#)

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: to Place in Suspense File for 90 days.*

Committee Members:

Dennis Henderson, Chairman

Sheryl Ralph, Vice-Chairman

Brendan McDonough

Bud Walker

Jim Fisher

Dan Foley

Absent



FINANCE & BUDGET COMMITTEE MEETING REPORT JANUARY 13, 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 January 13, 2016 was reviewed for the amount of \$891,513.68.

Committee Members:

John Sorich, Chairman	Absent
Jim Fisher, Vice-Chairman	
Brendan McDonough	
Bill Andersen	
Dennis Henderson	
Cindy Perdue-Dolan	

