

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
FEBRUARY 3, 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 20, 2016.

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

SECTION 1 PRESENTATION
COMMUNICATION NO. [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.

SECTION 2 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. [16-37](#) Larry Winstel 2426 Pine Street, Butte, MT, requesting Council of Commissioners authorize a Community Group to research and advise Butte-Silver Bow Government on the needs of dog owners in Butte. [Petition](#). *Recommendation: refer to Committee of the Whole.*



2. [16-38](#) Gary Keeler, Manager, Butte-Silver Bow Transit, requesting the Council of Commissioners authorize the Chief Executive to submit Butte-Silver Bow's annual application for Federal Section 5311 Transit operating assistance funds in the amount of \$663,321.00 and the State of Montana TransADE Funding in the amount of \$52,675.00. *Recommendation: Concur and Place on File.*
3. [16-39](#) Linda Sajor, Manager, Butte-Silver Bow Information Technology and Services, requesting Council of Commissioners reject the proposal submitted by ConvergeOne/Mountain States Networking that was reviewed on December 29, 2015. *Recommendation: Concur and Place on File.*
4. [16-40](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council of Commissioners approve Communication #15-356 – Request from Kenneth and Michelle Palmer to Purchase City-County Property under the Adjacent Landowner Policy. [Map](#). *Recommendation: Concur and Place on File.*
5. [16-41](#) Dan Powers, Interim Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners approve request for tuition reimbursement and approval for associated course work for Stephan Burns of the Butte-Silver Bow Health Department. *Recommendation: Concur and Place on File.*
6. [16-42](#) Ellen Crain, Director, Butte-Silver Bow Public Archives, requesting Council of Commissioners authorize the Chief Executive to sign Professional Services Agreement with Montana Preservation Alliance. [Agreement](#). *Recommendation: Concur and Place on File.*
7. [16-43](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council of Commissioners authorize the Chief Executive to sign a letter of Engagement with DA Davidson for services related to the issuance of Tax Increment Revenue bonds. [Letter of Engagement](#). *Recommendation: Concur and Place on File.*
8. [16-44](#) Captain Doug Conway, Butte-Silver Bow Law Enforcement Department, requesting Council of Commissioners to authorize the Chief Executive to approve the agreement regarding Third Signal LLC regarding the CJIN Security Program and Text-to-911 Implementation. [Agreement](#). *Recommendation: Concur and Place on File.*
9. [16-45](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners to authorize a Presentation on February 10, 2016 regarding Highland View Golf Course Management RFP. *Recommendation: Hold in Committee of the Whole awaiting February 10 presentation.*



10. [16-46](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners to authorize the Chief Executive to sign Change Order No. 1 for the Miner's Field at Copper Mountain Sports Park. [Agreement](#). **Recommendation: Concur and Place on File.**
11. [16-47](#) Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners to authorize application for a 2016 FEMA, Assistance to Firefighters Grant Program, under the Operations and Safety Category for 15 new Self-Contained Breathing Apparatus, requiring 10% matching amount of \$11,087.00. **Recommendation: Concur and Place on File.**
12. [16-48](#) Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners to authorize the Chief Executive to sign Mutual Aid Agreement with the Missoula Rural Fire District. [Agreement](#). **Recommendation: Concur and Place on File.**
13. [16-49](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Board, requesting Council of Commissioners approve the Pizza Ranch Minor Subdivision - Expedited Review and request the County Attorney to draft a resolution for official adoption. **Recommendation: Concur and Place on File.**
14. [16-50](#) Chief Executive Matt Vincent, requesting Council of Commissioners for concurrence in reappointment of Kevin Skocilich to the Human Resource Council, District XII, Board of Directors. **Recommendation: Concur and Place on File.**
15. [16-51](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Board, requesting Council of Commissioners to conduct public hearing on February 24, 2016 on proposed changes to the Urban Area Growth Policy Map. **Recommendation: Hold in Committee of the Whole, Awaiting Public Hearing on February 24, 2016.**
16. [16-52](#) Wei Wen Tan and Wei Guang Tan, 1627 Shore Dr., San Jose, CA 95131, , requesting Council of Commissioners to approve purchase of property at 417 N. Main St., Butte, MT. **Recommendation: Refer to Land Sales Committee.**
17. [16-54](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners for concurrence in Landfill Financial Assurance Test for Fiscal Year 2015. **Recommendation: Concur and Place on File.**
18. [16-55](#) Karen Hassler, Butte-Silver Bow Public Works Department, requesting Council of Commissioners to approve Maintenance Agreement with DLT Solutions for Autocad water software. **Recommendation: Concur and Place on File.**



19. [16-56](#) Chief Executive Matt Vincent, requesting Council of Commissioners for concurrence in appointments to the Mental Health Local Advisory Council. *Recommendation: Concur and Place on File.*

20. [16-57](#) Chief Executive Matt Vincent, requesting Council of Commissioners for concurrence in reappointments to the East Butte RRA Board. *Recommendation: Concur and Place on File.*

21. [16-58](#) Chief Executive Matt Vincent, requesting Council of Commissioners for concurrence in appointments to the Board of Health. *Recommendation: Concur and Place on File.*

22. [16-59](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council of Commissioners to authorize a Presentation on February 10, 2016 regarding Butte Economic Gardening Project. *Recommendation: Hold in Committee on the Whole, Awaiting Presentation February 10, 2016.*

SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

1. [16-53](#) Jon Sesso, Director, Butte-Silver Bow Planning Board, requesting Council of Commissioners for concurrence in staff recommendation on new location for County Shops.

2. [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.

SECTION 4 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

COUNCIL BILL NO. [16-2](#)
 ORDINANCE [16-2](#)

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (BSB-MC) TO BE NUMBERED 8.02 AND TO BE ENTITLED "VACANT BUILDINGS", ESTABLISHING REGISTRATION PROCEDURES, ESTABLISHING PROVISIONS FOR ENFORCEMENT; PROVIDING FOR A PENALTY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



COUNCIL RESOLUTION NO. [16-3](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE COPPER FOX ESTATES – AMENDING BLOCKS 1, 2, 3, AND 4 OF THE SUBURBAN TRACTS 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.

COUNCIL RESOLUTION NO. [16-5](#)

A RESOLUTION OF NECESSITY DECLARING AN INFRASTRUCTURE DEFICIENT AREA EXISTS WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA IN AN AREA KNOWN AS THE SOUTH BUTTE INDUSTRIAL PARK AND THAT INVESTMENT IN INFRASTRUCTURE IN THAT AREA IS NECESSARY IN THE INTEREST OF PUBLIC HEALTH, SAFETY, OR WELFARE OF THE RESIDENTS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 5 ORDINANCES AND RESOLUTIONS
FINAL READING**

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.

RESOLUTION NO [16-4](#)

I, THE UNDERSIGNED, BEING THE DULY QUALIFIED AND ACTING RECORDING OFFICER OF THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA (THE “CITY-COUNTY”), HEREBY CERTIFY THAT THE ATTACHED RESOLUTION IS A TRUE COPY OF COUNCIL RESOLUTION NO. 16-4, ENTITLED: “RESOLUTION RELATING TO \$10,268,000 SEWER SYSTEM REVENUE BOND (DNRC WATER POLLUTION CONTROL STATE REVOLVING LOAN PROGRAM), SERIES 2016; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS THEREOF” (THE “RESOLUTION”), ON FILE IN THE ORIGINAL RECORDS OF THE CITY-COUNTY IN MY LEGAL CUSTODY; THAT THE RESOLUTION WAS INTRODUCED BY THE COUNCIL OF COMMISSIONERS OF THE CITY-COUNTY AT A REGULAR MEETING ON JANUARY 20, 2016, AND THAT THE MEETING WAS DULY HELD BY THE COUNCIL OF COMMISSIONERS AND WAS ATTENDED THROUGHOUT BY A QUORUM, PURSUANT TO CALL AND NOTICE OF SUCH MEETING GIVEN AS REQUIRED BY LAW; AND THAT THE RESOLUTION HAS NOT AS OF THE DATE HEREOF BEEN AMENDED OR REPEALED.



PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

February 3, 2016	Airport Authority	12:00 pm	Airport Authority Admin Office
February 3, 2016	Butte AIDS Support Services	7:00 pm	Community Center
February 4, 2016	East Butte RRA	9:00 am	1 st Floor Conference Rm.
February 4, 2016	Civic Center	12:00 pm	Civic Center Hospitality Rm.
February 8, 2016	Archives	12:00 pm	Archives Center
February 9, 2016	Fire Advisory Council	5:00 pm	1 st Floor Conference Rm.
February 9, 2016	Weed Board	7:00 pm	Weed Department
February 10, 2016	Law Enforcement Commission	4:00 pm	Chief Executive Conf. Rm.
February 10, 2016	Library	5:00 pm	3 rd Floor, Library Building
February 10, 2016	Fair Board	5:30 pm	Business Development Center
February 11, 2016	Greenway Service Dist. Board	4:30 pm	Anaconda Comm. Service Bldg.
February 12, 2016	TIFID	12:00 pm	Business Development Center
February 16, 2016	Urban Forestry Board	1:00 pm	Business Development Center
February 16, 2016	Technical Review Committee	1:30 pm	3 rd Floor, Water Building
February 16, 2016	Housing Authority	5:00 pm	New Deal Community Center
February 16, 2016	Parks & Recreation	5:00 pm	1 st Floor Conference Room

ADJOURN _____



ECONOMIC DEVELOPMENT COMMITTEE MEETING
FEBRUARY 3, 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 JANUARY 27, 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 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 2 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 3 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 4 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 5 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: Note and Place on File.***



SECTION 6 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 on February 13, 2016 and receive a fee exemption. [Special Event Approval Pending Verification of Liability Insurance](#). *Recommendation: Concur and Place on File.*

SECTION 7 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: Hold in Abeyance.*

SECTION 8 COMMUNICATION NO. [16-14](#)

Ed Randall, Director, Community Enrichment Department, requesting Council's authorization to give an update on the Butte-Silver bow Community Enrichment Department at the Regular Meeting Agenda on February 3, 2016. *Recommendation: Hold in Abeyance.*

SECTION 9 COMMUNICATION NO. [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: Hold in Abeyance.*

SECTION 10 COMMUNICATION NO. [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: Hold in Abeyance.*

SECTION 11 COMMUNICATION NO. [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: Hold in Abeyance.*

SECTION 12 COMMUNICATION NO. [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: Note and Place on File.*



Committee Members:

Dan Foley *Present*
Cindy Perdue-Dolan *Present*
Sheryl Ralph *Present*
Brendan McDonough *Present*
Bill Andersen *Present*
Jim Fisher *Present*

Dennis Henderson *Present*
Dave Palmer *Present*
Bud Walker *Present*
John Sorich *Present*
John Morgan, Vice-Chairman *Present*
Cindi Shaw, Chairman *Present*



JUDICIARY COMMITTEE MEETING REPORT

JANUARY 27, 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 until introduced.*

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 (ask County Attorney to introduce Ordinance).*

SECTION 3 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 Final Reading.*

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

SUPPLEMENTAL RESOLUTION RELATING TO \$10,268,000 SEWER SYSTEM REVENUE BOND (DNRC WATER POLLUTION CONTROL STATE REVOLVING LOAN PROGRAM) SERIES 2016. *Recommendation: Move to Final Reading, as amended.*

SECTION 5 CLAIM APPROVAL

NO CLAIMS

Committee Members:

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



PUBLIC WORKS COMMITTEE MEETING REPORT JANUARY 27, 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 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: Hold in Abeyance (BSB Nick S. advised Mr. Hardesty has not put curb and gutters in as was requested. A motion by Commissioner Walker, Second by Commissioner Ralph to have planning Department review and bring back to us their recommendation.)

Committee Members:

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



FINANCE & BUDGET COMMITTEE MEETING REPORT JANUARY 27, 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 20, 2016 was approved for the amount of \$345,099.41.

SECTION 1 COMMUNICATION NO. [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: Hold in Abeyance.*

Committee Members:

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



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

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
John Sorich, Vice- Chairman
Dan Foley
Sheryl Ralph
Cindy Perdue-Dolan
Bill Andersen

