

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
MARCH 16, 2016  
7:30 P.M. COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING, FEBRUARY 22, 2016;  
REGULAR MEETING, MARCH 2, 2016; AND SPECIAL MEETING, MARCH 5, 2016

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

**SECTION 1 BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS**

1. BID OPENING  
COMMUNICATION NO. [16-69](#)

Patsy Coates, Property Specialist, Butte-Silver Bow Land Records Office, requesting Council of Commissioners concur with the request to hold a Bid Opening on March 16, 2016 regarding the Title and Lien Search of the 2016 Tax Deed Process.

2. BID OPENING  
COMMUNICATION NO. [16-79](#)

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Board, requesting Council of Commissioners concur with the request to hold a Bid Opening on March 16, 2016 regarding landscaping project using CTEP funds. [Bid Invitation](#).

3. PUBLIC HEARING  
COMMUNICATION NO. [16-85](#)

Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners schedule a public hearing for March 16, 2016 for the purpose of receiving public comment on a proposed amendment to the Butte-Silver Bow Fire Department's fiscal year 2015-2016 budget.



4. PRESENTATION  
COMMUNICATION NO. [16-80](#)

Jenny Chambers, Remediation Division Administrator, Montana Dept. of Environmental Quality, requesting Council of Commissioners authorize time on March 16, 2016 Agenda for an Update Presentation on the Montana Pole and Treating Plant Site.

**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 & BUDGET COMMITTEE MEETING REPORT
  5. ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT
- B. COMMUNICATIONS
1. [16-98](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council of Commissioners authorize Chief Executive to sign the Contract regarding a grant with the Montana Department of Commerce Montana Main Street Program for a Preliminary Architectural Report for the Phoenix Building. [Contract](#). **Recommendation: Concur and Place on File.**
  2. [16-99](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council of Commissioners authorize Chief Executive to sign the Contract regarding the Montana Department of Commerce Community Development Block Grant for preparation of a Preliminary Architectural Report for the Phoenix Building. [Contract](#). **Recommendation: Concur and Place on File.**
  3. [16-100](#) Dan Dennehy, Director, Emergency Management Agency, requesting Council of Commissioners to concur with request to apply for Emergency Management Performance Grant. **Recommendation: Concur and Place on File.**
  4. [16-101](#) Rod Warnstrom, Master Electrician/Shop Owner, ARC Electric, 3523 Oregon Ave., requesting Council of Commissioners address the issue of Butte-Silver Bow employees competing against local electrical contractors. **Recommendation: Refer to Public Works Committee.**
  5. [16-102](#) Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Letter of Understanding with Painters Local No. 1922. [Letter of Understanding](#). **Recommendation: Concur and Place on File.**



6. [16-103](#) Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Settlement Agreement with Pacific Northwest Council of Carpenters, Local No. 82. [Settlement Agreement](#). **Recommendation: Concur and Place on File.**
7. [16-104](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize the Chief Executive to sign a Maintenance Agreement with Lee's Office City on Ricoh copier for the Family Planning Program. [Agreement](#). **Recommendation: Concur and Place on File.**
8. [16-105](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize the Chief Executive to sign a Professional Services Agreement with Lactation Consultant Dawn Gordon-Wilcox for WIC Program. [Agreement](#). **Recommendation: Concur and Place on File.**
9. [16-106](#) Cim LeProwse, President, Butte Historical Society, requesting Council of Commissioners review status report on expenditures of Economic Development Mill Levy Funds from 2015. **Recommendation: Note and Place on File.**
10. [16-107](#) Ellen Crain, Director, Butte-Silver Bow Public Archives, requesting Council of Commissioners authorize the Chief Executive to sign a Grant Agreement with National Park Service to create an Ethnic Atlas and conduct three nominations to National Historic Landmark District (NHL) and create an addendum to the NHL document. [Agreement](#). **Recommendation: Cross Reference with Resolution 16-10 and Concur and Place on File.**
11. [16-108](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners review and note that the Finance & Budget Director has completed the obligations to report to the Council of Commissioners under the Procedures Regarding Municipal Securities Disclosure. [Filings](#). **Recommendation: Concur and Place on File.**
12. [16-109](#) David Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize the Chief Executive and Maintenance Center Relocation Team to pursue negotiations to enter into a Design and Construction Administration contract. **Recommendation: Concur and Place on File.**
13. [16-110](#) R. Edward Banderob, Interim Facilitator, Greeley Neighborhood Community Coalition, requesting Council of Commissioners to establish rules and procedures to call for, authorize and recognize Advisory Community Councils. [Petition](#). **Recommendation: Note and Place on File.**



14. [16-111](#) Dawnita Romine, Western Montana Mental Health Center, requesting Council of Commissioners authorize street closures for Stomping Out the Stigma Walk on May 27, 2016. [Map](#). [Flyer](#). **Recommendation: Refer to Special Events Coordinator and Hold in Committee of the Whole awaiting signatures.**
15. [16-112](#) Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners to concur with request to apply for FEMA Assistance to Firefighters Grant, under the Staffing for Adequate Fire and Emergency Response category. **Recommendation: Concur and Place on File.**
16. [16-113](#) Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners authorize the County Attorney to prepare a resolution to establish the Wise River Volunteer Fire Department, Fire District 5. **Recommendation: Concur with request to ask County Attorney to prepare a Resolution and Hold in the Committee of the Whole.**
17. [16-114](#) James M. Manning, Chairperson, Greenway Service District, requesting Council of Commissioners concur with the selection of Intermountain Construction Service as contractor on the Silver Bow Station project. [Attachment](#). **Recommendation: Concur and Place on File.**
18. [16-115](#) James M. Manning, Chairperson, Greenway Service District, requesting Council of Commissioners concur with donation of Greenway Service District property to the City and County of Butte-Silver Bow, Montana to Consolidate Ownership. [Map](#). **Recommendation: Concur and Place on File.**
19. [16-116](#) Mike Clague, Butte-Silver Bow Deputy County Attorney, requesting Council of Commissioners authorize Butte-Silver Bow DUI Court to apply for a grant from the United States Department of Justice. **Recommendation: Concur and Place on File.**
20. [16-117](#) Linda Sajor, Manager, Butte-Silver Bow Information Technology and Services, requesting Council of Commissioners authorize MIS Department to donate equipment that is no longer needed by Butte-Silver Bow to the Science Mine. [Attachment](#). **Recommendation: Concur and Place on File.**
21. [16-118](#) Mollie Maffei, Deputy County Attorney, Butte-Silver Bow County Attorney's Office, requesting Council of Commissioners authorize the Chief Executive to sign Pipeline Easement granting Northwestern Energy an Easement for a gas line. [Easement](#). [Map](#). **Recommendation: Concur and Place on File.**



22. [16-119](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners approve contract award to H&H Contracting, Inc. for the Butte At-Grade Crossing Project and authorize the Chief Executive to sign the construction agreement. (Agreement not provided.) **Recommendation: Concur and Place on File.**
23. [16-120](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners approve contract award to H&H Contracting, Inc. for the Sidewalks II Project and authorize the Chief Executive to sign the construction agreement. (Agreement not provided.) **Recommendation: Concur and Place on File.**
24. [16-121](#) Chief Executive Matt Vincent, requesting Council of Commissioners concur with reappointments to the Divide Refuse Board. **Recommendation: Concur and Place on File.**
25. [16-122](#) Chief Executive Matt Vincent, requesting Council of Commissioners concur with new appointment and reappointments to the Butte-Silver Bow Public Library Board. **Recommendation: Concur and Place on File.**
26. [16-123](#) Chief Executive Matt Vincent, requesting Council of Commissioners concur with new appointment to the Historic Preservation Commission. **Recommendation: Concur and Place on File.**
27. [16-124](#) Chief Executive Matt Vincent, requesting Council of Commissioners concur with and authorize to grant \$1,000,000 from the Hard Rock Development Assistance Program to Bert Mooney Airport Authority to assist with construction expenses. [Proposal](#). **Recommendation: Concur and Place on File.**
28. [16-125](#) Dan Dennehy, Director, Emergency Management Agency, requesting Council of Commissioners concur with request to apply for Homeland Security Grant. **Recommendation: Concur and Place on File.**

### SECTION 3 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

#### 1. COUNCIL RESOLUTION NO. [16-12](#)

A RESOLUTION AUTHORIZING AND APPROVING THE EXCHANGE OF CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE NORTH ONE-HALF OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 7 WEST, P.M.M., BUTTE-SILVER BOW COUNTY, 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. COUNCIL RESOLUTION NO. [16-13](#)

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED GRANT FROM THE NATIONAL CENTERS FOR DISEASE CONTROL AND PREVENTION TO THE DEVELOPMENTALLY DISABLED FUND FOR THE PURPOSE OF BRIDGING THE GAP BETWEEN THE DEVELOPMENTALLY DISABLED AND IMPLEMENTATION OF LOCAL COMMUNITY PROJECTS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. [16-14](#)

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA TO APPROVE MATCHING FUNDS FOR A TSEP PLANNING GRANT FOR A PRELIMINARY ENGINEERING REPORT FOR WASTEWATER COLLECTION SYSTEM AND PROVIDING FOR THE EFFECTIVE DATE HEREIN. [Management Plan](#).

**SECTION 4 ORDINANCES AND RESOLUTIONS  
FINAL READING**

1. COUNCIL BILL NO. [16-3](#)  
ORDINANCE NO. [16-3](#)

AN ORDINANCE AMENDING CHAPTER 2.72 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), ENTITLED “SMALL BUSINESS INCUBATOR BOARDS” AND REPLACING THE TITLE WITH THE NAME “BUSINESS DEVELOPMENT CENTER ADVISORY BOARD AND AMENDING SECTIONS 2.72.010 2.72.020, 2.72.030, 2.72.040, 2.72.050, 2.72.080, 2.72.110 AND DELETING 2.72.060, 2.72.070 AND 2.72.090, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#).

2. RESOLUTION NO. [16-8](#)

A RESOLUTION DIRECTING THE ELECTION ADMINISTRATOR TO PUT THE QUESTION OF APPROVING A GENERAL OBLIGATION BOND ISSUE NOT TO EXCEED THE AMOUNT OF \$7,200,000.00 FOR A TERM OF TWENTY YEARS FOR THE CONSTRUCTION OF THE BUTTE-SILVER BOW AQUATICS AND RECREATION COMPLEX, and APPROVING AN AMOUNT UP TO \$350,000 TO BE LEVIED ANNUALLY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF THE AQUATICS AND RECREATION COMPLEX, ON THE BALLOT FOR VOTER APPROVAL AT THE GENERAL BALLOT ELECTION TO BE HELD ON TUESDAY, June 7, 2016 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#).



3. COUNCIL RESOLUTION NO. [16-9](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE PIZZA RANCH MINOR SUBDIVISION – EXPEDITED REVIEW 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.

4. COUNCIL RESOLUTION NO. [16-10](#)

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED GRANT REVENUE TO THE BUTTE-SILVER PUBLIC ARCHIVES FROM THE FEDERAL GOVERNMENT, DEPARTMENT OF INTERIOR, NATIONAL PARK SYSTEM FOR THE PURPOSE OF CREATING AN ETHNIC ATLAS AND CREATING THREE NATIONAL LANDMARK PROPERTY NOMINATIONS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5. COUNCIL RESOLUTION NO. [16-11](#)

A RESOLUTION APPROVING GROWTH POLICY AMENDMENT NO. 30 TO APPROVE CHANGES TO THE BUTTE-SILVER BOW COUNTY GROWTH POLICY LAND USE MAP OF THE 1987 BUTTE-SILVER BOW MASTER PLAN; INCORPORATING, BY REFERENCE, THE CHANGES TO THE MAP AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

March 16, 2016	Parking Commission	3:00 pm	Chief Executive Conference Rm.
March 22, 2016	Port of Montana	12:00 pm	Hub Center, Silver Bow
March 23, 2016	Local Emergency Planning	12:00 pm	1st Floor Conference Room
March 23, 2016	Urban Revitalization	8:30 am	1st Floor Conference Room
March 24, 2016	Animal Service Dept. Board	5:30 pm	1st Floor Conference Room
March 31, 2016	Planning Board	5:30 pm	Council Chambers
April 5, 2016	Historic Preservation	5:30 pm	Council Chambers
April 6, 2016	Airport Authority	12:00 pm	BM Airport Auth. Admin. Office
April 6, 2016	Butte AIDS Support Services	7:00 pm	Community Center
April 6, 2016	Board of Health	7:00 am	Health Department

ADJOURN \_\_\_\_\_



**ECONOMIC DEVELOPMENT COMMITTEE MEETING  
MARCH 16, 2016  
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

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

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council of Commissioner’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.

**SECTION 4 REPORT FROM BLDC**

<u><i>Committee Members</i></u>	<u><i>Present/Absent</i></u>	
Dave Palmer, Chairman.....	P	A
John Sorich, Vice-Chairman.....	P	A
Bill Andersen.....	P	A
Dan Foley.....	P	A
Cindy Perdue-Dolan.....	P	A
Sheryl Ralph.....	P	A

**COMMITTEE OF THE WHOLE MEETING REPORT  
MARCH 9, 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 [16-91](#)**

NORTHEY TRETHERWAY, RESTORE OUR CREEK COALITION (ROCC), REQUESTING COUNCIL OF COMMISSIONERS AUTHORIZE A PRESENTATION ON MARCH 9, 2016 FROM ROCC REGARDING THE UPPER SILVER BOW CREEK AND THE COALITION. *Presentation held.*

**SECTION 2 COMMUNICATION NO. [15-490](#)**

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's recommendation to approve Council Communication No. 15-460 request from Blain Brown to purchase City-County property under the adjacent Landowner Policy. [Map](#). *Recommendation: Hold in Abeyance.*

**SECTION 3 COMMUNICATION NO. [16-27](#)**

Craig T. Williams, 803 North Main, Butte, Montana, requesting Council's authorization to purchase county-owned property under the adjacent landowner policy. *Recommendation: Hold in Abeyance.*

**SECTION 4 COMMUNICATION NO. [16-52](#)**

Wei Wen Tan and Wei Guang Tan, 1627 Shore Dr., San Jose, CA 95131, requesting Council of Commissioners approve purchase of property at 417 N. Main St., Butte, Montana. *Recommendation: Hold in Abeyance.*

**SECTION 5 COMMUNICATION NO. [16-63](#)**

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting the Council of Commissioners authorize a Presentation on March 2, 2016 on the audit conducted on the Fiscal Year 2015 Comprehensive Annual Financial Report (CAFR) and the Federal Schedule of Awards. *Recommendation: Place on File.*



**SECTION 6 COMMUNICATION NO. [16-65](#)**

Juli Connors, Accountant, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners schedule a Public Hearing for March 2, 2016 for the purpose of amending the Fiscal Year 2015-2016 Budget to allow for increased expenditures of Unanticipated Revenue. **Recommendation: Place on File.**

**SECTION 7 COMMUNICATION NO. [16-66](#)**

James M. Manning, Chairman, Greenway Service District, requesting Council of Commissioners schedule a Bid Opening for the Silver Bow Creek Trailhead Construction on March 2, 2016. [Map](#). **Recommendation: Place on File.**

**SECTION 8 COMMUNICATION NO. [16-68](#)**

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioner's authority to hold two (2) Bid Openings on March 2, 2016 regarding the Community Transportation Enhancement Program (CTEP). **Recommendation: Place on File.**

**SECTION 9 COMMUNICATION NO. [16-69](#)**

Patsy Coates, Property Specialist, Butte-Silver Bow Land Records Office, requesting Council of Commissioners concur with the request to hold a Bid Opening on March 16, 2016 regarding the Title and Lien Search of the 2016 Tax Deed Process. **Recommendation: Hold in Abeyance.**

**SECTION 10 COMMUNICATION NO. [16-70](#)**

Patsy Coates, Property Specialist, Butte-Silver Bow Land Records Office, requesting Council of Commissioners to concur with the request of the County Attorney's Office to issue a Resolution for mailing "Notice that a Tax Deed May be Issued to the County" to all property owners and interested parties on the delinquent real property taxes for year 2012. **Recommendation: Hold in Abeyance.**

**SECTION 11 COMMUNICATION NO. [16-79](#)**

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners authorize a Bid Opening on March 16, 2016 regarding landscaping project using CTEP funds. [Bid Invitation](#). **Recommendation: Hold in Abeyance.**

**SECTION 12 COMMUNICATION NO. [16-80](#)**

Jenny Chambers, Remediation Division Administrator, Montana Dept. of Environmental Quality, requesting Council of Commissioners authorize time on March 16, 2016 Agenda for an



Update Presentation on the Montana Pole and Treating Plant Site. **Recommendation: Hold in Abeyance.**

**SECTION 13 COMMUNICATION NO. [16-81](#)**

Brian Wilkins, Butte-Silver Bow Public Works Department, requesting Council of Commissioners concur with the request to hold a Bid Opening on April 6, 2016 regarding the Basin Creek Water Treatment Plant Ancillary Facilities, Southside Pump Station and PRV Building. **Recommendation: Hold in Abeyance.**

**SECTION 15 COMMUNICATION NO. [16-83](#)**

Martha R. Sorini, 705 Kenwood Ave., Butte, Montana, requesting Council of Commissioners authorize purchase of property under the Adjacent Landowner Policy next to her rental at 327 North Wyoming St., Butte, Montana. **Recommendation: Hold in Abeyance.**

**SECTION 16 COMMUNICATION NO. [16-84](#)**

Ted Ackerman, Owner, Miners Hotel, 53 West Park, Butte, Montana, requesting Council of Commissioners authorize placement of new projecting sign for the Miners Hotel, 53 West Park, Butte, Montana. [Exhibit](#). **Recommendation: Concur and Place on File.**

**SECTION 17 COMMUNICATION NO. [16-85](#)**

Jeffrey L. Miller, Director, Butte-Silver Bow Fire Services, requesting Council of Commissioners schedule a public hearing for March 16, 2016 for the purpose of receiving public comment on a proposed amendment to the Butte-Silver Bow Fire Department's fiscal year 2015-2016 budget. **Recommendation: Hold in Abeyance.**

**SECTION 18 COMMUNICATION NO. [16-89](#)**

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners adopt Resolution No. 16-11 approving Growth Policy Amendment No. 30. [Map](#). **Recommendation: Hold in Abeyance.**

**SECTION 19 COMMUNICATION NO. [16-91](#)**

Northey Tretheway, Restore Our Creek Coalition, requesting Council of Commissioners authorize a Presentation on March 9, 2016 from Restore Our Creek Coalition (ROCC) regarding the upper Silver Bow Creek and the Coalition. **Recommendation: Place on File.**



**SECTION 20 COMMUNICATION NO. [16-94](#)**

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners conduct Public Hearing on March 23, 2016 to hear public comment on proposed amendment to the official Butte-Silver Bow Zoning Map. ***Recommendation: Hold in Abeyance.***

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



# JUDICIARY COMMITTEE MEETING REPORT

## MARCH 9, 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 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. *Recommendation: Hold in the Judiciary Committee. Schedule Public Hearing for April 6, 2016.*

### **SECTION 2 COUNCIL BILL NO. [16-3](#) ORDINANCE NO. [16-3](#)**

AN ORDINANCE AMENDING CHAPTER 2.72 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), ENTITLED “SMALL BUSINESS INCUBATOR BOARDS” AND REPLACING THE TITLE WITH THE NAME “BUSINESS DEVELOPMENT CENTER ADVISORY BOARD AND AMENDING SECTIONS 2.72.010 2.72.020, 2.72.030, 2.72.040, 2.72.050, 2.72.080, 2.72.110 AND DELETING 2.72.060, 2.72.070 AND 2.72.090, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#). *Recommendation: Move to Final Reading.*

### **SECTION 3 RESOLUTION NO. [16-8](#)**

A RESOLUTION DIRECTING THE ELECTION ADMINISTRATOR TO PUT THE QUESTION OF APPROVING A GENERAL OBLIGATION BOND ISSUE NOT TO EXCEED THE AMOUNT OF \$8,700,000.00 FOR A TERM OF TWENTY YEARS FOR THE CONSTRUCTION OF THE BUTTE-SILVER BOW AQUATICS AND RECREATION COMPLEX, AND APPROVING \$350,000 TO BE LEVIED ANNUALLY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF THE AQUATICS AND RECREATION COMPLEX, ON THE BALLOT FOR VOTER APPROVAL AT THE GENERAL BALLOT ELECTION TO BE HELD ON TUESDAY, JUNE 7, 2016 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Recommendation: Move to Final Reading, “As Amended.”*



**SECTION 4 COUNCIL RESOLUTION NO. [16-9](#)**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE PIZZA RANCH MINOR SUBDIVISION – EXPEDITED REVIEW 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 COUNCIL RESOLUTION NO. [16-10](#)**

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR AFTER CONDUCTING A PUBLIC HEARING AT A REGULARLY SCHEDULED MEETING OF THE COUNCIL OF COMMISSIONERS IN ACCORDANCE WITH SECTION 7-6-4006, MCA; APPROPRIATING UNANTICIPATED GRANT REVENUE TO THE BUTTE-SILVER PUBLIC ARCHIVES FROM THE FEDERAL GOVERNMENT, DEPARTMENT OF INTERIOR, NATIONAL PARK SYSTEM FOR THE PURPOSE OF CREATING AN ETHNIC ATLAS AND CREATING THREE NATIONAL LANDMARK PROPERTY NOMINATIONS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Recommendation: Move to Final Reading.*

**SECTION 6 COUNCIL RESOLUTION NO. [16-11](#)**

A RESOLUTION APPROVING GROWTH POLICY AMENDMENT NO. 30 TO APPROVE CHANGES TO THE BUTTE-SILVER BOW COUNTY GROWTH POLICY LAND USE MAP OF THE 1987 BUTTE-SILVER BOW MASTER PLAN; INCORPORATING, BY REFERENCE, THE CHANGES TO THE MAP AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Recommendation: Move to Final Reading.*

**SECTION 7 CLAIM APPROVAL**

NAME	AMOUNT	DESCRIPTION	
Jeri Ygnatowiz	\$300.00	Metro Refund	<i>Approved</i>
Jeri Ygnatowiz	\$73.00	Garbage Refund	<i>Approved</i>

<u>Committee Members</u>	<u>Present/Absent</u>
Bud Walker, Chairman .....	Present
Bill Andersen, Vice-Chairman .....	Present
Brendan McDonough .....	Present
Dave Palmer .....	Present
Cindy Perdue-Dolan .....	Present
John Sorch .....	Present

**PUBLIC WORKS COMMITTEE MEETING REPORT  
MARCH 9, 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. [16-2](#)**

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a petition to close and vacate the alley adjacent to Lots 1 through 14 and 15 through 28 in Block 6 of the Fairview Addition. [Signatures.](#) [Map.](#)

***Recommendation: Mike Nasheim of Public Works and a representative from Water Environmental Technical gave presentation of this Petition. The only concern was from Century Link, which they will work through. It also was stated by Mr. Fisher and Mr. Sesso to not tear up the street. Chairman Henderson requested to have a Public Hearing occur on April 6, 2016 and Hold this in Public Works.***

<u>Committee Members</u>	<u>Present / Absent</u>
Dennis Henderson, Chairman .....	Present
Sheryl Ralph, Vice-Chairman.....	Present
Jim Fisher .....	Present
Dan Foley .....	Present
Brendan McDonough .....	Present
Bud Walker .....	Present



**FINANCE & BUDGET COMMITTEE MEETING REPORT  
MARCH 9, 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 March 8, 2016 (sic) was approved for the amount of  
\$824,764.06***

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



**ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT  
MARCH 2, 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. Heard from personnel from Northwest Pipe regarding preference for local bidders.***

**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. Heard from TBID Board regarding procedures for the operation of the TBID Board.***

**SECTION 4 REPORT FROM BLDC**

***Recommendation: Hold in Abeyance.***

<u>Committee Members</u>	<u>Present/Absent</u>
Dave Palmer, Chairman.....	Present
John Sorich, Vice- Chairman.....	Absent
Bill Andersen .....	Present
Dan Foley .....	Present
Cindy Perdue-Dolan .....	Present
Sheryl Ralph .....	Present