

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
COMMITTEE OF THE WHOLE  
APRIL 27, 2016  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

REPORT OF THE CHAIR

BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS

**SECTION 1 PRESENTATION  
COMMUNICATION NO. [16-129](#)  
(Rescheduled from April 13, 2016)**

KAREN BYRNES, DIRECTOR, BUTTE-SILVER BOW COMMUNITY DEVELOPMENT DEPARTMENT, REQUESTING COUNCIL OF COMMISSIONERS AUTHORIZE A PRESENTATION ON THE BUTTE ECONOMIC GARDENING PROJECT AT THE APRIL 13 MEETING.

**SECTION 2 PRESENTATION  
COMMUNICATION NO. [16-169](#)**

PAMELA HAXBY-COTE, EXECUTIVE DIRECTOR, BUTTE LOCAL DEVELOPMENT CORPORATION, REQUESTING COUNCIL OF COMMISSIONERS AUTHORIZE A PRESENTATION ON THE WEST PARK STREET CORRIDOR PLAN APRIL 27, 2016.

**PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA**

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

*Referred to Committee of the Whole sitting as the Judiciary Committee.*

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.



**SECTION 4 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.

**SECTION 5 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.

**SECTION 6 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.

**SECTION 7 COMMUNICATION NO. [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](#).

**SECTION 8 COMMUNICATION NO. [16-126](#)**

Dan Roggenkamp, 630 South Washington Street, Butte, Montana, requesting Council of Commissioners authorize purchase of county-owned property under the adjacent landowner policy. Property of interest lies east of 630 South Washington Street and includes three lots above storm detention tract and one lot below. [Map](#). [Photos](#). [Tax Records](#).

**SECTION 9 COMMUNICATION NO. [16-129](#)**

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting council of commissioners authorize a presentation on the butte economic gardening project at the April 13 meeting.

**SECTION 10 COMMUNICATION NO. [16-141](#)**

Captain Doug Conway, Butte-Silver Bow Law Enforcement Department, requesting Council of Commissioners authorize online submission for the Justice Assistance Grant (JAG) Program and schedule a public hearing for May 4, 2016. [Notice of Public Hearing](#).



**SECTION 11 COMMUNICATION NO. [16-144](#)**

Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize time on April 20, 2016 Agenda to conduct a bid opening regarding the Butte-Silver Bow Invitation for Bid for asphalt.

**SECTION 12 COMMUNICATION NO. [16-145](#)**

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners authorize a Public Hearing on April 20, 2016 to amend FY2016 budget in Parks and Recreation, Golf Course Fund.

**SECTION 13 COMMUNICATION NO. [16-146](#)**

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners approve Zoning Application No. 174 and request the County Attorney prepare an Ordinance adopting the proposed change to the Butte-Silver Bow Zoning District Map. [Staff Analysis](#). [Map](#).

**SECTION 14 COMMUNICATION NO. [16-148](#)**

Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize a Public Hearing on April 20, 2016 to receive public comment regarding a Sanitary Sewer TSEP Environmental Review and Preliminary Engineering Report.

**SECTION 15 COMMUNICATION NO. [16-149](#)**

Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners approve request for County Attorney to prepare a Resolution regarding TSEP Sanitary Sewer Application.

**SECTION 16 COMMUNICATION NO. [16-151](#)**

Sheriff Ed Lester, Butte-Silver Bow Law Enforcement Department, requesting Council of Commissioners authorize Chief Executive to sign contract with Community, Counseling, and Correctional Services, Inc. (CCCS) to transport youths to detention center. [Contract](#).

**SECTION 17 COMMUNICATION NO. [16-162](#)**

Mark R. O'Neill, 26 11th Avenue, Helena, Montana, requesting Council of Commissioners authorize purchase of county-owned property under the Adjacent Landowner Policy. Property of interest is the back end of the lot at 621 West Quartz, bordering on the north side and joining it to the alley. [Map](#).



**SECTION 18 COMMUNICATION NO. [16-163](#)**

Ron Crowley, 905 13th Street, Butte, Montana, requesting Council of Commissioners authorize purchase of county-owned property under the Adjacent Landowner Policy. Property of interest borders west of 905 13th Street over to where slope goes down to the reservoir.

**SECTION 19 COMMUNICATION NO. [16-169](#)**

Pamela Haxby-Cote, Executive Director, Butte Local Development Corporation, requesting Council of Commissioners authorize a presentation on the West Park Street Corridor Plan April 27, 2016.

**SECTION 20 COMMUNICATION NO. [16-172](#)**

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners authorize a Public Hearing on May 11, 2016 to hear public comment on the Proposed Amendment to the official Butte-Silver Bow Zoning Map. [Staff Analysis](#). [Map](#).

**PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA**

ADJOURN \_\_\_\_\_



**FINANCE & BUDGET COMMITTEE MEETING  
APRIL 27, 2016  
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

*Expenditure report for the week of April 20, 2016 was approved for the amount of \$745,230.07.*

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



**PUBLIC WORKS COMMITTEE MEETING  
 APRIL 27, 2016  
 6:30 PM COURTHOUSE COUNCIL CHAMBERS**

**SECTION 1 PETITION NO. [15-3](#)**

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners authorize a Street Closure Petition on Avon and Utah Streets for Copper Fox Development, Inc. (Petition was started in 2015). [Signatures](#). [Map](#). [Comments](#).

**SECTION 2 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](#).

**SECTION 3 COMMUNICATION NO. [16-160](#)**

Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners approve request for County Attorney to update *Traffic Control Signals* Ordinance to remove the traffic signal at Broadway and Wyoming Streets and update *Stop Intersections* Ordinance to include Wyoming as a stop street before entering Broadway Street.

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

**JUDICIARY COMMITTEE MEETING  
APRIL 27, 2016  
7:00 PM COURTHOUSE COUNCIL CHAMBERS**

**SECTION 1 COUNCIL BILL NO. [16-4](#)  
ORDINANCE NO. [16-4](#)**

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY 10 ACRES FROM NZ (NOT ZONED) TO OS-D (OPEN SPACE DEVELOPABLE ZONE), COMMONLY KNOWN AS THE WALKERVILLE BASEBALL FIELD AND THE LEXINGTON MINE YARD; AND TO REZONE APPROXIMATELY 107 ACRES FROM NZ (NOT ZONED) TO OS-C (OPEN SPACE CONSERVATION ZONE), COMMONLY KNOWN AS THE ALICE KNOB, ALICE PIT, GRANITE MOUNTAIN AND MISSOULA GULCH; AND TO REZONE APPROXIMATELY 6 ACRES FROM NZ (NOT ZONED) TO C-2 (COMMUNITY COMMERCIAL ZONE), COMMONLY KNOWN AS BLAINE COMMUNITY CENTER, SHERMAN SCHOOL AND CERTAIN PROPERTIES ALONG WEST DALY KNOWN AS 1, 7, 11, 13, 303, 307, 309 WEST DALY; AND TO REZONE APPROXIMATELY 358 ACRES FROM NZ (NOT ZONED) TO R-2 (TWO FAMILY RESIDENCE ZONE), BOUNDED ON THE NORTH BY ALICE STREET, ON THE WEST BY THE WEST BOUNDARY OF THE CITY LIMITS OF WALKERVILLE, ON THE EAST BY SERAPH POINT AND ON THE SOUTH BY RYAN ROAD AND O'NEILL STREET; AND TO REZONE APPROXIMATELY 727 ACRES FROM NZ (NOT ZONED) TO R-1S (ONE FAMILY SUBURBAN ZONE), COMMONLY LOCATED IN SECTION 1, TOWNSHIP 3 NORTH, RANGE 8 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 2 COUNCIL RESOLUTION NO. [16-18](#)**

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 8 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.

**SECTION 3 COUNCIL RESOLUTION NO. [16-20](#)**

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING THAT PORTION OF THE ALLEY LOCATED ADJACENT TO LOTS 1 THROUGH 14 AND ADJACENT TO LOTS 15 THROUGH 28 IN BLOCK 6 OF THE FAIRVIEW ADDITION TO



THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA,  
 PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE  
 NECESSARY FACTS HEREIN.

**SECTION 4 COMMUNICATION NO. [16-139](#)**

Michael A. Nasheim, Building Official, Butte-Silver Bow Building Code Department, requesting Council of Commissioners approve request for Amendment to Title 15 Buildings and Construction Ordinance and instruct County Attorney to draft an Ordinance for official adoption.

**SECTION 5 COMMUNICATION NO. [16-159](#)**

Brian Wilkins, Operations Manager, Water Division, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize the County Attorney to revise sections of the Butte-Silver Bow Municipal Code regarding Water System Charges and Fees.

**SECTION 6 CLAIM APPROVAL**

NAME	AMOUNT	DESCRIPTION	
Brett Richardson	\$200.00	Demo Bond Refund	

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