

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
MAY 4, 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 REGULAR MEETING APRIL 20, 2016

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

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

1. PUBLIC HEARING  
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](#).

2. PUBLIC HEARING  
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 2 CONSENT AGENDA**

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



## B. COMMUNICATIONS

1. [16-177](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners authorize time on May 18, 2016 Agenda to conduct a Bid Opening regarding the Butte-Silver Bow Invitation for Bid for the Miner's Field Masonry Project at Copper Mountain Sports Park.  
**Recommendation: Concur and Hold in the Committee of the Whole pending Bid Opening on May 18, 2016.**
2. [16-178](#) Ken Devine, President, Community Celebrations, Inc., requesting Council of Commissioners authorize the 2016 4th of July Freedom Festival and Parade with use of various locations for float build and display, veteran's picnic, and necessary street closures. [Application](#). [MDT Maps](#). All Approvals have been Received.  
**Recommendation: Concur and Place on File.**
3. [16-179](#) Pat Holland, Manager, Butte-Silver Bow Government Buildings, requesting Council of Commissioners authorize time on May 11, 2016 Agenda to conduct a bid opening regarding the Butte-Silver Bow Library third floor ADA accessible toilet room. **Recommendation: Concur and Hold in the Committee of the Whole pending Bid Opening on May 11, 2016.**
4. [16-180](#) Brian Wilkins, Operations Manager, Water Division, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize the Chief Executive to sign a Renewal for Notice of Intent for Disinfected Water and Hydrostatic Testing General Permit with Montana DEQ to allow Butte-Silver Bow to continue work on the Big Hole Transmission Main Project. [DEQ Permit](#).  
**Recommendation: Concur and Place on File.**
5. [16-181](#) Dave Boyd, CCCS Director of Treatment Programs, requesting Council of Commissioners authorize a presentation from Community Counseling and Correction Services, Inc. (CCCS) and the management team of the Southwest Montana Addiction Recovery and Treatment Program (SMART) on May 18, 2016. **Recommendation: Concur and Hold in the Committee of the Whole pending Presentation on May 18, 2016.**
6. [16-182](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize time on May 18, 2016 Agenda to conduct a bid opening for the Community Transportation Enhancement Program (CTEP) Bike Routes Project on the Butte flats.  
**Recommendation: Concur and Hold in the Committee of the Whole pending Bid Opening on May 18, 2016.**



7. [16-183](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize time on May 11, 2016 Agenda to conduct a bid opening for the 2016 Butte-Silver Bow Chip Seal Project. **Recommendation: Concur and Hold in the Committee of the Whole pending Bid Opening on May 11, 2016.**
8. [16-184](#) Sally Hollis, Butte-Silver Bow Clerk and Recorder, requesting Council of Commissioners and the Chief Executive to appoint Judges for June 7, 2016 Primary and reserve the option of adding additional or replacement judges as may be necessary. (List of Judges should be available May 3, 2016.)  
**Recommendation: Concur and Place on File.**
9. [16-185](#) Carl Hafer, 6050 Porter, Butte, Montana, requesting Council of Commissioners and the Chief Executive address reasoning with regard Grove Creek contamination and future plans. **Recommendation: Refer to Technical Review Committee (Environmental) and hold in the Committee of the Whole.**
10. [16-187](#) Julia M. Crain, Superfund Program Data Administrator, Butte-Silver Bow Planning Department, requesting Council of Commissioners authorize the Chief Executive to sign the Construction Agreement with Land Tech Montana, Inc. for trail construction, rehabilitation, and obliteration at the Big Butte Open Space Park for an amount not to exceed \$25,000. [Agreement](#). **Recommendation: Concur and Place on File.**
11. [16-188](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council of Commissioners authorize the Chief Executive to sign a Professional Services Agreement with KLJ for engineering and surveying services. [Agreement](#). **Recommendation: Concur and Place on File.**
12. [16-189](#) Juli Connors, Finance & Budget Accountant, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners authorize a Public Hearing on May 18, 2016 for the purpose of amending the Fiscal Year 2015-2016 budget to allow for unanticipated revenue related to audit finding 15-6 in Butte-Silver Bow's June 30, 2015 Comprehensive Annual Financial Report.  
**Recommendation: Concur and Hold in the Committee of the Whole pending Public Hearing on May 18, 2016.**
13. [16-190](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners approve the Final Plat of the Hondo Acres Minor Subdivision, with all thirteen (13) conditions as stated. [Staff Analysis](#). [Plat](#).  
**Recommendation: Concur and Place on File.**



14. [16-191](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners to withdraw Communication No. 16-27, request from Craig Williams to purchase City-County Property under the Adjacent Landowner Policy. **Recommendation: Concur and Place on File.**
15. [16-192](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners to concur with recommendation of the Land Sales Committee to accept the Charitable Donation of the land south of the Original Mine Yard owned by Wei Wan Tan and Wei Guang Tan, ask the County Attorney to draft a resolution of acceptance, authorize the Chief Executive to sign all documents associated with the charitable donation, and Cross Reference this Communication with Communication No. 16-52. [Email from Donor.](#) **Recommendation: Concur and Place on File.**
16. [16-193](#) Padraig Cunneen, Environmental Science Specialist, Department of Justice, Natural Resource Damage Program, requesting Council of Commissioners approve and authorize the Chief Executive to sign an Amendment to the Access Agreement granting access to properties for investigative activities related to the Upper Silver Bow Creek Corridor. [Amendment to Agreement.](#) **Recommendation: Concur and Place on File.**
17. [16-194](#) Kellee Anderson, MSU Extension Agent, Butte-Silver Bow City/County, requesting Council of Commissioners to authorize the Chief Executive to sign a Grant Agreement for the Tree City of the Year Award 2016 to be used to improve the green space at Park and Arizona Streets. [Grant Agreement.](#) **Recommendation: Concur and Place on File.**
18. [16-195](#) Pat Holland, Manager, Butte-Silver Bow Government Buildings, requesting Council of Commissioners to authorize the Chief Executive to sign a Letter of Commitment for natural gas contract participation with Shell Energy. [Letter of Commitment.](#) **Recommendation: Concur and Place on File.**
19. [16-196](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council of Commissioners to authorize the Chief Executive to sign an agreement with the Port of Montana for Marketing and Business Development services to further the goals of both Montana Connections and the Port of Montana. [Agreement.](#) **Recommendation: Concur and Place on File.**
20. [16-197](#) Suzan Maloney, Manager, Butte-Silver Bow Sunset Cemetery, requesting Council of Commissioners to authorize the Chief Executive to sign a Photocopier Maintenance Agreement with. 360 Office Solutions. [Agreement.](#) **Recommendation: Concur and Place on File.**



21. [16-198](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners to authorize the Chief Executive to sign four agreements (totaling \$48,802.01) with Northwestern Energy for work being completed at Stodden Park to replace the existing electrical elements at the softball fields. [Agreement 1](#). [Agreement 2](#). [Agreement 3](#). [Agreement 4](#). **Recommendation: Concur and Place on File.**
22. [16-199](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners to approve Bid Award Recommendations for 2016 Asphalt Oil Supply and authorize the Chief Executive to sign three contracts. [Contract 1](#). [Contract 2](#). [Contract 3](#). **Recommendation: Concur and Place on File.**
23. [16-200](#) Chief Executive Matt Vincent, requesting Council of Commissioners to concur with reappointments to the Zoning Board of Adjustment. **Recommendation: Concur and Place on File.**
24. [16-201](#) Chief Executive Matt Vincent, requesting Council of Commissioners to concur with appointments to the Parks and Recreation Board. **Recommendation: Concur and Place on File.**
25. [16-202](#) Julia M. Crain, Superfund Program Data Administrator, Butte-Silver Bow Planning Department, requesting Council of Commissioners authorize the Chief Executive to sign an agreement with Wagner Nursery and Landscape Co. for the Butte Hill Tree Planting project for a price not to exceed \$53,021. [Agreement](#). [Scope of Work](#). **Recommendation: Concur and Place on File.**

### SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

1. [16-186](#) Wayne Noem, Secondary Roads Engineer, Montana Department of Transportation, requesting Council of Commissioners and the Chief Executive to approve changes to the Butte District Secondary Roads Capital Construction Priority List, complete two ballots and return by May 27, 2016. [Priority List](#). [Ballots](#). **Recommendation: Concur and Place on File.**
2. [16-203](#) Gayle Clark, Divide School District No. 4 Business Clerk, requesting Council of Commissioners to support the removal of the Divide School from the Isolation List with the Montana Office of Public Instruction. [Letter of Support](#). [Application](#). **Recommendation: Concur and Place on File.**



**SECTION 4 ORDINANCES AND RESOLUTIONS  
REFERRED TO JUDICIARY**

1. COUNCIL BILL NO. [16-6](#)  
ORDINANCE NO. [16-6](#)

AN ORDINANCE AMENDING SECTION 13 OF ORDINANCE NO. 549 AND CHAPTER 15.04 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “BUILDING CODE;” SPECIFICALLY AMENDING SECTION 15.04.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#).

2. COUNCIL BILL NO. [16-7](#)  
ORDINANCE NO. [16-7](#)

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 431 AND CHAPTER 13.28 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “CHARGES AND FEES;” SPECIFICALLY AMENDING SECTIONS 10.28.210 AND 10.28.220 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#).

3. COUNCIL BILL NO. [16-8](#)  
ORDINANCE NO. [16-8](#)

AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 67 AND CHAPTER 2.40 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “PLANNING BOARD;” SPECIFICALLY AMENDING SECTION 2.40.050 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#).

4. COUNCIL RESOLUTION NO. [16-21](#)

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 GENERAL FUND RESERVES, WHICH WILL BE REMITTED BACK TO THE GENERAL FUND AFTER SALE OF GOLF PRO SHOP INVENTORY, TO THE PARKS AND RECREATION DEPARTMENT-GOLF COURSE BUDGET AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

5. COUNCIL RESOLUTION NO. [16-22](#)

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE HONDO ACRES 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 5 ORDINANCES  
SECOND READING**

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 6 ORDINANCES AND RESOLUTIONS  
FINAL READING**

1. 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.

2. 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.

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

**CALENDAR OF OTHER MEETINGS AND EVENTS**

May 5, 2016	Civic Center	12:00 pm	Civic Center Hospitality Room
May 5, 2016	East Butte RRA	9:00 am	1st Floor Conference Room
May 9, 2016	Archives	12:00 pm	Archives Center
May 10, 2016	Fire Advisory Council	5:00 pm	1st Floor Conference Room
May 10, 2016	Weed Board	7:00 pm	Weed Department
May 11, 2016	Fair Board	5:30 pm	Business Development Center
May 11, 2016	Law Enforcement Commission	4:00 pm	Chief Executive Conference Room
May 11, 2016	Library	5:00 pm	3rd Floor, Library Building
May 12, 2016	Greenway Service Dist. Board	4:30 pm	Butte 1st Floor Conf. Room.
May 13, 2016	TIFID	12:00 pm	Business Development Center
May 17, 2016	Housing Authority	5:00 pm	New Deal Community Center
May 17, 2016	Parks & Recreation	5:00 pm	EOC – Justice Center on Wynn
May 17, 2016	Technical Review Committee	1:30 pm	3rd Floor, Water Building
May 17, 2016	Urban Forestry Board	1:00 pm	Business Development Center
May 18, 2016	Parking Commission	3:00 pm	Chief Executive Conference Room

ADJOURN \_\_\_\_\_



**FINANCE & BUDGET COMMITTEE MEETING  
MAY 4, 2016  
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

*Expenditure report for the week of May 4, 2016 was approved for the amount of \$\_\_\_\_\_.*

<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



## COMMITTEE OF THE WHOLE MEETING REPORT APRIL 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 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. ***Recommendation: Held.***

**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. ***Recommendation: Held.***

**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. ***Recommendation: Move back to Judiciary Committee and ask County Attorney to make further amendments/changes.***

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



## **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.

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

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

## **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](#).

***Recommendation: Note and Place on File.***

## **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](#).

***Recommendation: Cross Reference with Communication No. 16-173 and Place on File.***

## **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. ***Recommendation: Place on File.***

## **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](#). ***Recommendation: Hold in Abeyance.***



**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. **Recommendation: Place on File.**

**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. **Recommendation: Place on File.**

**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](#). **Recommendation: Cross Reference with Ordinance No. 16-4 and Place on File.**

**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. **Recommendation: Place on File.**

**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. **Recommendation: Cross Reference with Resolution No. 16-19 and Place on File.**

**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](#). **Recommendation: Hold in Abeyance.**



**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](#). **Recommendation: Hold in Abeyance.**

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

**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. **Recommendation: Place on File.**

**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](#). **Recommendation: Hold in Abeyance.**

<u>Committee Members</u>	<u>Present/Absent</u>
Cindi Shaw, Chairman.....	Present
John 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

# ECONOMIC DEVELOPMENT COMMITTEE MEETING REPORT APRIL 20, 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 of Commissioner'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.**

## SECTION 4 REPORT FROM BLDC

**Recommendation: Hold in Abeyance.**

*Next meeting to be held May 18, 2016, at 6:00 PM, then first Regular Meeting of each month until further notice.*

<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



**FINANCE & BUDGET COMMITTEE MEETING REPORT  
APRIL 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 April 27, 2016 was approved for the amount of \$2,080,195.39.***

***The Finance & Budget Committee reviewed the April 26, 2016 Expenditure Report for the amount of \$2,080,195.39 with no exceptions and all Finance & Budget Committee Members were present.***

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



# PUBLIC WORKS COMMITTEE MEETING REPORT

## APRIL 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. [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](#).  
**Recommendation: Hold in Abeyance pending Public Hearing May 4, 2016.**

### 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](#).  
**Recommendation: Motion by Commissioner Foley, second by Commissioner McDonough to Cross Reference Petition No. 16-2 with Resolution No. 16-20 and Place on File. All Yea.**

### 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. **Recommendation: Motion made by Commissioner Ralph, second by Commissioner McDonough to Concur and Place on File. Three Yea – Commissioners Ralph, McDonough and Foley; Three Nay – Commissioners Fisher, Walker and Henderson. Motion Failed.**

<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



**JUDICIARY COMMITTEE MEETING REPORT**  
**APRIL 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 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.

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

**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. **Recommendation: Move to Final Reading. Commissioner Palmer Abstained.**

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

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

**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. **Recommendation: Ask County Attorney’s office to draft changes.**

**SECTION 6 CLAIM APPROVAL**

NAME	AMOUNT	DESCRIPTION	Recommendation:
Brett Richardson	\$200.00	Demo Bond Refund	Approved

<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 Sorich .....	Present