

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
COMMITTEE OF THE WHOLE
MAY 11, 2016
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

REPORT OF THE CHAIR

BID OPENINGS, PUBLIC HEARINGS, AND/OR PRESENTATIONS

1. BID OPENING
COMMUNICATION NO. [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.

2. BID OPENING
COMMUNICATION NO. [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.

3. PUBLIC HEARING
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 ITEMS ON THE AGENDA



SECTION 1 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 2 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 3 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 4 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 5 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 6 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 7 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 8 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](#).

SECTION 9 COMMUNICATION NO. [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.

SECTION 10 COMMUNICATION NO. [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.

SECTION 11 COMMUNICATION NO. [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.

SECTION 12 COMMUNICATION NO. [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.

SECTION 13 COMMUNICATION NO. [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.

SECTION 14 COMMUNICATION NO. [16-185](#)

Carl Hafer, 6050 Porter, Butte, Montana, requesting Council of Commissioners and the Chief Executive address reasoning with regard to Grove Creek contamination and future plans.



SECTION 15 COMMUNICATION NO. [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.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

ADJOURN _____

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

**FINANCE & BUDGET COMMITTEE MEETING
MAY 11, 2016
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

Expenditure report for the week of May 4, 2016 was approved for the amount of \$766,710.50.

<u>Committee Members</u>	<u>Present/Absent</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
MAY 11, 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 COMMUNICATION NO. [15-275](#)

Jim Fisher, Butte-Silver Bow Commissioner, District No. 6, requesting the Chief Executive and the Public Works Director, along with Council, write a letter to railroad companies who have railroad crossings in Butte-Silver Bow regarding repairing railroad crossing surfaces and the cleanup of weeds at all sites. *(Put back on Agenda per Commissioner Fisher. Had been suspended until April.)*

SECTION 3 COMMUNICATION NO. [15-552](#)

Cindi Shaw, Butte-Silver Bow Commissioner, District No. 11, requesting a review of the possibility of placing a flashing red signal light at the intersection of Granite and Main Streets. [Letter](#). *(Put back on Agenda per Commissioner Shaw. Had been suspended for 90 days.)*

SECTION 4 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: Concur with the removal of traffic signal, replace it with stop signs on all four corners of the intersection, and request the County Attorney to amend the Ordinances accordingly.***

<u>Committee Members</u>	<u>Present/Absent</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
MAY 11, 2016
7:00 PM COURTHOUSE COUNCIL CHAMBERS**

**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.

**SECTION 2 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 3 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](#).

**SECTION 4 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](#).

**SECTION 5 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](#).

SECTION 6 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.

SECTION 7 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 8 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 9 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 10 CLAIM APPROVAL

NAME	AMOUNT	DESCRIPTION	
None			

<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