

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
MAY 18, 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 MAY 4, 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. [16-177](#)

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.

2. BID OPENING
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.

3. PUBLIC HEARING
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.

4. PRESENTATION
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 2 CONSENT AGENDA

- A.
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. FINANCE & BUDGET COMMITTEE MEETING REPORT
 3. PUBLIC WORKS COMMITTEE MEETING REPORT
 4. JUDICIARY COMMITTEE MEETING REPORT
- B. COMMUNICATIONS
1. [16-204](#) Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners to concur and authorize amendment to health plan document with Allegiance to add a naturopathy benefit to Butte-Silver Bow's insurance coverage. [Amendment](#). **Recommendation: Concur and Place on File.**
 2. [16-205](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council of Commissioners authorize Chief Executive to sign amendment to Butte-Silver Bow Health Department Contract with the Montana Department of Public Health and Human Services' Cancer Control Program. [Amendment](#). **Recommendation: Concur and Place on File.**
 3. [16-206](#) Matthew Boyle, SHGF Productions, requesting Council of Commissioners authorize The Original Festival at the Original Mine September 8-11, 2016. [Application](#). All approvals have been received. **Recommendation: Concur and Place on File.**
 4. [16-207](#) George Everett, Executive Director, Mainstreet Uptown Butte, requesting Council of Commissioners authorize street closure and use of Chester Steele Park on July 3, 2016 for the Big Bang Freedom Fest. [Application](#). [Maps](#). All approvals have been received. **Recommendation: Concur and Place on File.**



5. [16-208](#) Danny Kaluza, Director, Support Services, NorthWestern Energy, requesting Council of Commissioners authorize street closure on May 21, 2016 for the NorthWestern Energy ribbon cutting ceremony and public open house. [Application](#). [MDT Application](#). [Certificate of Liability](#). [Map](#). All approvals have been received. **Recommendation: Concur and Place on File.**
6. [16-209](#) Eldon Beall, 505 North Wyoming Street, Butte, Montana, requesting Council of Commissioners consider Butte-Silver Bow Ordinance 8.06.30, Community Decay Standards, in lieu of the proposed “Vacant Building” Council Bill No. 16-2, Ordinance No. 16.2. **Recommendation: Refer to Judiciary Committee.**
7. [16-210](#) Leslie Clark, Director, Butte-Silver Bow Human Resources Department, requesting Council of Commissioners authorize the Chief Executive to sign a Letter of Understanding between the City and County of Butte-Silver Bow and Painters Local No. 1922. [Letter of Understanding](#). **Recommendation: Concur and Place on File.**
8. [16-212](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners deny Communication No. 16-163, Request from Ron and Jackie Crowley to Purchase City-County Property under the Adjacent Landowner Policy. Communication No. [16-163](#). [Map](#). **Recommendation: Concur and Place on File.**
9. [16-213](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners approve Communication No. 16-162, Request from Mark R. O’Neill to Purchase City-County Property under the Adjacent Landowner Policy. Communication No. [16-162](#). [Map](#). **Recommendation: Concur and Place on File.**
10. [16-214](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners approve Bid Award Recommendations for 2016 Butte-Silver Bow Chip Seal Project and authorize the Chief Executive to sign Agreement Forms with Hollow Contracting. [Agreement](#). **Recommendation: Concur and Place on File.**
11. [16-215](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners concur with Fiscal Year 2017 Budget Schedule. **Recommendation: Concur and Place on File.**



12. [16-216](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council of Commissioners authorize the Chief Executive to sign a one year Department of Administration, Local Government Services Bureau Standard Audit Contract and authorize the Finance & Budget Director to sign the Audit Engagement letter with Newland and Company for services related to the annual audit for year ended June 30, 2016. [Audit Contract](#). [Audit Engagement Letter](#). **Recommendation: Concur and Place on File.**
13. [16-217](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners approve Zone Change Application No. 175. [Map](#). **Recommendation: Concur and Place on File.**
14. [16-218](#) David Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize Chief Executive to sign the modification for Contract #80008, which is in place between Butte-Silver Bow and the Natural Resource Damage Program. This modification allows Pioneer Technical to complete an Environmental Site Assessment and property survey of the Gilman property. [Modification](#). **Recommendation: Concur and Place on File.**
15. [16-219](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council of Commissioners authorize a Public Hearing on June 1, 2016 regarding the creation of the South Butte Industrial Targeted Economic Development District. **Recommendation: Concur and Hold in the Committee of the Whole pending Public Hearing on June 1, 2016.**
16. [16-220](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners approve request for County Attorney to update Ordinance 10.24.160 *Traffic Control Signals* to remove the traffic signal at Granite and Main Streets and Ordinance 10.32.010 *Stop Intersections – Designated* to include the intersection of Main and Granite Streets to remain a four-way stop. [Signal Warrant Analysis](#). **Recommendation: Refer to Judiciary Committee.**
17. [16-221](#) J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council of Commissioners to approve moving forward with construction of a new playground in Rocker at Rocker Station along the Greenway Trail. **Recommendation: Concur and Place on File.**
18. [16-222](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize Chief Executive to sign a Memorandum of Understanding with The City of Billings, Montana for services related to MS4 Guidance Documents. [Memorandum of Understanding](#). **Recommendation: Concur and Place on File.**



19. [16-223](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize Chief Executive to sign a contract with the Montana Department of Commerce via DocuSign for the TSEP Construction Projects related to sanitary sewer work. [Contract](#). **Recommendation: Concur and Place on File.**
20. [16-224](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize time on June 1, 2016 Agenda to conduct a bid opening for the Butte-Silver Bow N-6 Sanitary Sewer Replacement Project. **Recommendation: Concur and Hold in the Committee of the Whole pending Bid Opening on June 1, 2016.**
21. [16-225](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council of Commissioners authorize time on June 1, 2016 Agenda to conduct a bid opening for the 2016 N6 Basin Sanitary Sewer CIPP Project. **Recommendation: Concur and Hold in the Committee of the Whole pending Bid Opening on June 1, 2016.**
22. [16-226](#) Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Department, requesting Council of Commissioners to concur with recommendation by the Planning Board to approve the South Butte Industrial Targeted Economic Development District Plan. [Recommendation](#). **Recommendation: Concur and Place on File.**
23. [16-227](#) Chief Executive Matt Vincent, requesting Council of Commissioners to concur with appointment and reappointments to the Butte Natural Resources Damage Restoration Council. **Recommendation: Concur and Place on File.**
24. [16-228](#) Nikole Evankovich, Assistant Director, Butte-Silver Bow Public Archives, requesting Council of Commissioners authorize a presentation on May 25, 2016 for the Archives Board of Directors to present employment contracts for the Clark Chateau, and authorize the Chief Executive to sign Clark Chateau Employment Contracts with Carson Becker and Callison Stratton. [Becker Contract](#). [Stratton Contract](#). **Recommendation: Concur and Hold in Committee of the Whole pending Presentation on May 25, 2016.**
25. [16-229](#) John P. Morgan, Butte-Silver Bow Commissioner, District No. 3, requesting Council of Commissioners authorize submission of recommendations for Wise River Fire District applicants to Scott Marsh. **Recommendation: Concur and Place on File.**

SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

1. [16-211](#) Chief Executive Matt Vincent, requesting Council of Commissioners to concur with appointment of Matt Pokorny as a Probationary Entry Level Firefighter.



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

1. COUNCIL BILL NO. [16-5](#)
ORDINANCE NO. [16-5](#)

AN ORDINANCE AMENDING ORDINANCE 204, Section 4 and CHAPTER 10.24 , ENTITLED “TRAFFIC CONTROL DEVICES” AND CHAPTER 10.32 ENTITLED “STOP SIGNS”, OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) SPECIFICALLY REPEALING SECTION 10.24.160(4) DELETING THE TRAFFIC CONTROL SIGNAL LOCATED AT THE INTERSECTION OF BROADWAY STREET AND WYOMING STREET; AND BY AMENDING SECTION 10.32.010 ESTABLISHING STOP SIGNS ON BROADWAY STREET ENTERING THE EAST AND WEST CORNERS AT THE INTERSECTION OF BROADWAY STREET AND WYOMING STREET; AND ESTABLISHING STOP SIGNS ON WYOMING STREET ENTERING THE NORTH AND SOUTH CORNERS AT THE INTERSECTION OF BROADWAY STREET AND WYOMING STREET AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline.](#)

2. COUNCIL BILL NO. [16-9](#)
ORDINANCE NO. [16-9](#)

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 6 ACRES FROM R-1S (ONE FAMILY SUBURBAN) TO C-2 (COMMUNITY COMMERCIAL), COMMONLY LOCATED AT 20,26,30 BASIN CREEK ROAD; AND TO REZONE APPROXIMATELY 108 ACRES FROM R-1S (ONE FAMILY SUBURBAN) TO M-1 (LIGHT INDUSTRIAL ZONE), COMMONLY LOCATED AT SOUTH OF THE ABOVE NOTED ADDRESS, NORTH OF THE GUN CLUB ROAD AND WEST OF HIGHWAY 2; INCLUDING BUT NOT LIMITED TO THE PROPERTIES KNOWN AS ABC MINI STORAGE, BASIN CREEK MOBILE HOMES, FEDEX GROUND, BUTTE TRAP & SKEET CLUB, AND THE NORTHWESTERN ENERGY SUBSTATION; AND TO REZONE APPROXIMATELY 7 ACRES FROM C-2 (COMMUNITY COMMERCIAL) TO M-1 (LIGHT INDUSTRIAL ZONE), ON THOSE PROPERTIES NOTED ABOVE WHO ARE ADJACENT TO HIGHWAY 2; ALL LOCATED IN SECTION 8, TOWNSHIP 2 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.



3. COUNCIL BILL NO. [16-10](#)
ORDINANCE NO. [16-10](#)

AN ORDINANCE ESTABLISHING THE BASIN CREEK TARGETED ECONOMIC DEVELOPMENT DISTRICT, CREATING THE BASIN CREEK TARGETED ECONOMIC DEVELOPMENT DISTRICT AND ADOPTING THE BASIN CREEK TARGETED ECONOMIC DEVELOPMENT DISTRICT PLAN WITH A TAX INCREMENT FINANCING PROGRAM PURSUANT TO TITLE 7, CHAPTER 15, PART 42 AND 43 OF THE MONTANA CODES ANNOTATED.

4. COUNCIL RESOLUTION NO. [16-23](#)

RESOLUTION AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS OF THE STATE OF MONTANA SHORT TERM INVESTMENT POOL (STIP) AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO. [Certificate as to Resolution 16-23 and Adopting Vote.](#)

5. COUNCIL RESOLUTION NO. [16-24](#)

A RESOLUTION DIRECTING THE BUTTE-SILVER BOW LAND RECORDS DEPARTMENT TO MAIL NOTICE OF PENDING TAX DEED ISSUANCE TO ALL PERSONS CONSIDERED INTERESTED PARTIES FOR EACH PROPERTY FOR WHICH THERE HAS BEEN ISSUED A TAX CERTIFICATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 15-18-212, MCA; FURTHER DIRECTING THE TREASURER TO ISSUE A TAX DEED FOR THOSE PARCELS OF PROPERTY WHERE THERE HAS BEEN ISSUED A TAX CERTIFICATE AND THE EXPIRATION DATE OF THE REDEMPTION PERIOD HAS EXPIRED AND THE REQUIRED PAYMENTS HAVE NOT BEEN MADE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6. COUNCIL RESOLUTION NO. [16-25](#)

A RESOLUTION ACCEPTING THE DONATION OF A CERTAIN PARCEL OF REAL PROPERTY FOR THE PURPOSE OF CONVEYING PRIVATE PROPERTY SURROUNDED BY PUBLICALLY OWNED PROPERTY AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 5 ORDINANCES
SECOND READING**

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](#).

SECTION 6 ORDINANCES AND RESOLUTIONS FINAL 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.

2. 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.

3. 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.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

May 19, 2016	Animal Service Dept. Board	5:30 pm	1st Floor Conference Room
May 19, 2016	Zoning Board	5:30 pm	Council Chambers
May 23, 2016	Mental Health Local Advisory Committee	1:00 pm	3rd Floor, Library Building
May 24, 2016	Port of Montana	12:00 pm	Hub Center, Silver Bow
May 25, 2016	Local Emergency Planning	12:00 pm	EOC – Justice Center on Wynn
May 25, 2016	Urban Revitalization	8:30 am	1st Floor Conference Room
May 26, 2016	Planning Board	5:30 pm	Council Chambers
June 1, 2016	Airport Authority	12:00 pm	BM Airport Authority Admin. Office
June 1, 2016	Board of Health	7:00 am	Health Department

ADJOURN _____



**ECONOMIC DEVELOPMENT COMMITTEE MEETING
MAY 18, 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

**FINANCE & BUDGET COMMITTEE MEETING
MAY 18, 2016
7:00 PM COURTHOUSE COUNCIL CHAMBERS**

Expenditure Report for the week of May 11, 2016 was approved for the amount of \$766,023.42.

<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 MAY 11, 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 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. *Bid Opening Held.*

SECTION 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. *Bid Opening Held.*

SECTION 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 Hearing Held.*

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: Cross Reference with Communication 16-191 and Place on File.*



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: Cross Reference with Communication 16-192 and Place on File.

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. [16-141](#)

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: Concur and Place on File.***

SECTION 8 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 9 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 10 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 11 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: Place on File.**

SECTION 12 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. **Recommendation: Hold in Abeyance.**

SECTION 13 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. **Recommendation: Place on File.**

SECTION 14 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. **Recommendation: Hold in Abeyance.**

SECTION 15 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. **Recommendation: Hold in Abeyance.**

SECTION 16 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. **Recommendation: Place on File.**



SECTION 17 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.

Recommendation: Hold in Abeyance.

SECTION 18 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. **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	Absent
John Sorich.....	Present
Bud Walker.....	Present



**FINANCE & BUDGET COMMITTEE MEETING REPORT
MAY 11, 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 May 11, 2016 was approved for the amount of \$766,023.42.

The Butte-Silver Bow Finance & Budget Committee reviewed the May 10, 2016 Expenditure Report for amount of \$766,023.42 with no exceptions. Please note all 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

MAY 11, 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: Motion by Commissioner McDonough, Seconded by Commissioner Fisher, to Approve and Hold in Abeyance. Send to County Attorney. All yea.***

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.)* ***Recommendation: Nick Sandford advised BNSF Railroad has advised they will be repairing the track crossing on Rowe Road and Butte-Silver Bow will blacktop new up to it. Hold in Abeyance.***

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.)* ***Recommendation: Lee Alt was unable to be at the meeting. We will Hold in Abeyance for two weeks and get his opinion. Public Works Committee instructed Nick Sandford and Dave Schultz to clear out the wiring at Main and Granite and any other that is not being used.***



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: Hold in Abeyance. Waiting for County Attorney.**

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

<u><i>Public Works Dept.</i></u>	<u><i>Present/Absent</i></u>
Nick Sandford.....	Present
Dave Schultz.....	Present



JUDICIARY COMMITTEE MEETING REPORT
MAY 11, 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 Judiciary Committee waiting for amendments.*

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.
Recommendation: Move to Final Reading.

**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](#). *Recommendation: Move to Second Reading.*

**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](#).
Recommendation: Move to Second Reading.

**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](#). *Recommendation: Move to Second Reading.*

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. *Recommendation: Move to Final Reading.*

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. *Recommendation: Move to Final Reading.*

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. *Recommendation: Cross Reference with Council Bill No. 16-6, Ordinance No. 16-6, and Place on File.*

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. *Recommendation: Cross Reference with Council Bill No. 16-7, Ordinance No. 16-7, and Place on File.*

SECTION 10 CLAIM APPROVAL

NAME	AMOUNT	DESCRIPTION	
None			

<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