

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
COMMITTEE OF THE WHOLE
MAY 25, 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. [16-228](#)**

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](#).

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

SECTION 2 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 3 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 4 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 5 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 6 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 7 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 8 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 9 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 10 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.



SECTION 11 COMMUNICATION NO. [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.

SECTION 12 COMMUNICATION NO. [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.

SECTION 13 COMMUNICATION NO. [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.

SECTION 14 COMMUNICATION NO. [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](#).

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

ADJOURN _____



**FINANCE & BUDGET COMMITTEE MEETING
MAY 25, 2016
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

Expenditure Report for the week of May 18, 2016 was approved for the amount of \$575,243.45.



PUBLIC WORKS COMMITTEE MEETING
MAY 25, 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.

SECTION 3 COMMUNICATION NO. [15-395](#)

John P. Morgan, Butte-Silver Bow Commissioner, District No.3, requesting a review of possibly placing a left turn arrow at the intersection of Montana Street and Front and Centennial while heading north. *(Put back on Agenda per Commissioner Morgan. Had been suspended for 90 days.)*

SECTION 4 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](#).

SECTION 5 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.



**JUDICIARY COMMITTEE MEETING
MAY 25, 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. [Redline.](#)

**SECTION 2 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.](#)

**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 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.

**SECTION 7 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.

SECTION 8 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.](#)

SECTION 9 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.

SECTION 10 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 11 COMMUNICATION NO. [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.

SECTION 12 COMMUNICATION NO. [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.](#)

