

**MINUTES OF THE REGULAR MEETING OF THE
BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
FOR JANUARY 6, 2016**

The Regular Meeting of the Council of Commissioners was called to order Wednesday, January 6, 2016, in the Council Chambers, Third Floor, Room 312, Courthouse Building, 155 West Granite Street, Butte, Montana by the Chief Executive, Matt Vincent.

ROLL CALL

Commissioner Morgan, *present*

Commissioner Palmer, *present*

Commissioner Andersen, *present*

Commissioner Walker, *present*

Commissioner Foley, *present*

Commissioner Ralph, *absent*

Commissioner Shaw, *present*

Commissioner McDonough, *present*

Commissioner Henderson, *absent*

Commissioner Fisher, *present*

Commissioner Perdue-Dolan, *present*

Commissioner Sorich, *present*

STAFF PRESENT

Eileen Joyce, Butte-Silver Bow County Attorney

Laura Sargent, Deputy Clerk & Recorder

Colleen Safratowich, Deputy Clerk & Recorder

PRAYER

Commissioner McDonough said the prayer.

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

None.

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF DECEMBER 9, 2015 AND REGULAR MEETING OF DECEMBER 16, 2015.

It was moved by Commissioner Shaw, seconded by Commissioner Morgan and passed by a unanimous verbal vote to approve the minutes of the Special Meeting of December 9, 2015 and the Regular meeting of December 16, 2015.

ITEMS NOT ADDRESSED ON THE AGENDA

None.



CHIEF EXECUTIVE REPORT

Chief Executive Vincent reported the following:

- ❖ We are in process of evaluating a number of locations for our City-County Public Work Shops.
- ❖ We are responsive to what we hear from public and the Council of Commissioners.
- ❖ We have scheduled an additional public presentation prior to bringing the decision before this governing body.
- ❖ There will be two additional updates to include public feedback up to this point.
- ❖ We are looking at a decision date from Council on February 3, 2016.
- ❖ The next public forum will be next Tuesday January 12, 2016 at 6:00 pm at Emergency Operations Center in the Butte Justice Center.
- ❖ This will be a presentation to the public and to our Superfund Advisory Redevelopment Trust.
- ❖ In expanding our opportunities for economic development in Butte-Silver Bow, next week we are holding a meeting Wednesday January 13, 2016 at 4:00 pm at Highland College.
- ❖ This will be a public meeting to present the plans for establishment of a South Butte Targeted Economic Development District.
- ❖ Previously called “TIFID” now called “TEDS”.
- ❖ Brings a number of additional opportunities for spurring economic development in this area.
- ❖ It can include a tax increment and financing and it does not necessarily have but this will be the decision of this governing body to decide when or if we would implement a tax increment district out there.
- ❖ The reason we are having the meeting at the Highland College is that campus would be within the confines of the proposed new district.
- ❖ It would also include our existing Industrial Park, Mike Mansfield Technology Center, Arcadia, Basin Creek Power Plant and other great properties.
- ❖ Pleased to announce that today an offer for our new Human Resources Director.
- ❖ Our New Human Resource Director was selected from a diverse selection committee.
- ❖ The Selection Committee were Matt Vincent, Chief Executive; Eileen Joyce, County Attorney; Commissioner Dan Foley; Sheriff Ed Lester; Jeff Miller, Director Fire Services; Dave Schultz, Public Works Director; Danette Gleason, Finance and Budget Director; and included outside representative for Butte-Silver Bow, Cindy Walker, Poore, Roth & Robinson.
- ❖ It was a unanimous decision to offer the position to Ms. Leslie Clark.
- ❖ She is the younger sister of the former Personnel Director, Timothy Clark who retired in 2007.
- ❖ Ms. Clark is very well qualified in her own rite.
- ❖ She is a native of Butte-Silver Bow.
- ❖ She is a Montana Tech and Butte High School graduate.
- ❖ She has been employed at MSE for 3 decades and has been the Human Resource Director at MSE since 2007.
- ❖ Will bring the decision for confirmation before this governing body at the next regular meeting on January 20, 2015.
- ❖ Upon the approval of the hiring of Ms. Leslie Clark by the Council of Commissioners, she will begin employment on January 25, 2016.



- ❖ In regards to the selection of the IT Manager position we have a good selection committee including Commissioner Morgan.
- ❖ We have had a number of applicants and an equal number of highly qualified applicants.
- ❖ We are in process of narrowing down the selection of applicants to begin interviews.
- ❖ The selection committee hopes to have a decision made by end of January, 2016.
- ❖ The Montana Quarterly Magazine has an article on Danny Wong owner of the PeKin Noodle Parlor written by Ed Kiming the former editor of the Billings Gazette.

SECTION 1 CONSENT AGENDA

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

- B. COMMUNICATIONS**

Before entertaining a motion for approval of the Consent Agenda, Chief Executive Vincent called for any friendly amendments or segregations.

Commissioner Shaw made a friendly amendment to Section B, Communication No. 16-10 changing the date of the Tax Deed Sale Public Auction to February 17, 2016.

It was then moved by Commissioner Shaw, seconded by Commissioner Morgan and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 5, and Section B, Items 1 through 13 including the friendly amendment change on Communication No. 16-10.

SECTION 2 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

1. RESOLUTION NO. 16-1

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A CERTAIN PARCEL OF REAL PROPERTY LOCATED IN THE MONTANA CONNECTIONS BUSINESS DEVELOPMENT PARK, GENERALLY DESCRIBED AS SILICON MOUNTAIN NO. 1 MINOR SUBDIVISION, SECTION 24, TOWNSHIP 03 N, RANGE 09 W, LOT 3B (COS 940B-RW), WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, STATE OF 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. ORDINANCE NO. 16-1

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 204 AND SECTION 10.40.050 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPEED LIMIT"; ESTABLISHING A 15 MPH SPEED LIMIT ON WEST GRANITE STREET FROM WESTERN AVENUE ON THE EAST TO MAY STREET ON THE WEST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION 3 ORDINANCES AND RESOLUTIONS
FINAL READING**

1. RESOLUTION NO. 15-48

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, DESCRIBED AS LOT NINETEEN (19) BLOCK FOUR (4) OF THE MONTANA AVENUE ADDITION, (PORTION OF PARCEL NO. 1419800) LYING IN THE SOUTHEAST ONE QUARTER OF SECTION TWENTY FOUR (24), TOWNSHIP THREE (3) NORTH, RANGE EIGHT (8) WEST, (ADJACENT TO THE NORTH OF THE PROPERTY AT 2221 S. MAIN STREET) TO THE ADJOINING OWNER PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

It was moved by Commissioner Shaw, seconded by Commissioner Morgan that Resolution No. 15-48 be placed on final reading and be passed, having been deemed read at length. The motion passed by a roll call vote of 10 yea and 0 nay.

2. RESOLUTION NO. 15-49

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE FINAL PLAT OF THE ASPEN 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.

It was moved by Commissioner Shaw, seconded by Commissioner Morgan that Resolution No. 15-49 be placed on final reading and be passed, having been deemed read at length. The motion passed by a roll call vote of 10 yea and 0 nay.

**SECTION 5 SUSPENSION OF THE RULES
FOR FINAL PASSAGE**

It was moved by Commissioner Shaw, seconded by Commissioner Morgan and passed by a roll call vote of 9 yea and 1 nay to suspend the rules for the purpose of passing Council Resolution No. 16-2 by waiving Subsection 7 of Rule XXXVI of the Rules and Order of Business of the Council of Commissioners, thereby having it considered for advanced passage without reference to the Judiciary Committee. Commissioners Fisher voted nay.



1. RESOLUTION NO. 16-2

A RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF TWENTY (20) SELF-CONTAINED BREATHING APPARATUSES FOR THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA'S ("BSB") FIRE DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Commissioner Fisher stated the following:

- ❖ He has no objection to the Fire Department receiving the breathing apparatuses or the equipment they need.
- ❖ He objecting to the sole source purchase of \$173,000.
- ❖ Many times referred to professionals while the fireman are truly professionals, he says they are not professional purchasing agents.
- ❖ To allow them to spend \$173,000 without going through bid process does not seem right to him.
- ❖ There is no purchasing department for Butte-Silver Bow County.
- ❖ Not opposed to Fire Department getting fire apparatuses, he is opposed to having the sole source of \$173,000 being spent without a bid process.

It was moved by Commissioner Shaw, seconded by Commissioner Morgan that Resolution No. 16-2 be placed on final reading and be passed, having been deemed read at length. The motion passed by a roll call vote of 9 yea and 1 nay. Commissioners Fisher voted nay.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

R. Edward Banderob, 2601 Grand Avenue, Butte, Montana stated the following:

- ❖ He came to the light at intersection of Park and Main Streets stating that the light has been flashing red for several weeks.
- ❖ Not sure if it a decision has been made whether to put a light at that intersection or if the light is to remain flashing.
- ❖ He requests that if the light is to continue being a 4-way stop, hang a box under the light indicating it is a 4-Way stop.

Commissioner McDonough stated the following:

- ❖ This afternoon the Bert Mooney Airport Authority authorized moving forward with the construction and start the contract with Markovich Construction to begin starting the bid documents.
- ❖ The project is projected to be higher cost than originally anticipated but there is a good plan in place.
- ❖ The Board's opinion and the engineers felt that it is imperative to move forward in taking a big step in the effort to construct new terminal at the Bert Mooney Airport.



ADJOURN

It was moved by Commissioner Shaw seconded by Commissioner Morgan and passed with a unanimous verbal vote to Rise to the Call of the Chair.

The meeting adjourned at 7:48 p.m.

MATT VINCENT
CHIEF EXECUTIVE

ATTEST:

CLERK & RECORDER