



4. 09-641 Karen Byrnes, Community Development Director, requesting time on the October 21, 2009 Council agenda to present a report on the Urban Revitalization Agency's activities for FY 2008-2009. **Recommendation: Concur and set presentation for October 21, 2009.**
5. 09-642 Karen Byrnes, Community Development Director, requesting Council's authorization for the Chief Executive to sign U.S. Department of Energy, Energy Efficiency Conservation Block Grant Program in the amount of \$138,700. **Recommendation: Concur and place on file.**
6. 09-643 Steve Kambich, City Court Judge, requesting Council's authorization for Chief Executive to enter into a contract between Butte-Silver Bow and Community, Counseling and Correctional Services, Inc. for the Batterers' Intervention Program. **Recommendation: Concur and place on file.**
7. 09-644 Dan Rapkoch, Contractor, MSTI Communications Manager, requesting time on the October 14, 2009 Agenda to address comments made on September 16, 2009 by Montana Public Service Commissioner Brad Molnar regarding MSTI. **Recommendation: Concur and set presentation for October 14, 2009.**
8. 09-645 Glen Granger, Commissioner District No. 1, requesting Council's authorization for a traffic study to be conducted on the corner of White-way and Burlington Streets. **Recommendation: Refer to Public Works.**
9. 09-646 Sally Hollis, Clerk and Recorder, requesting Council's authorization to purchase Birth and Death System-envelopes and binders in the amount of \$5,935 from Heritage Bookbinding. **Recommendation: Concur and place on file.**
10. 09-647 Sally Hollis, Clerk and Recorder, informing Council it was not necessary to conduct an election in the Melrose Water & Sewer District as there were no contested races for Trustees in the District. **Recommendation: Note and place on file.**
11. 09-648 Paul David Babb, Chief Executive, requesting Council's concurrence in the appointments of Don Berryman and Bill Hall to the Butte-Silver Bow Fair Board. **Recommendation: Concur and place on file.**
12. 09-649 Holly Callarman, Financial Director, Capstone Christian Academy, requesting Council's authorization to hold a raffle from October 12, 2009 through October 30, 2009 and to be exempt from the permit as Capstone Christian Academy is a non-profit organization. **Recommendation: Concur and place on file.**

13. 09-651 Robert Macioroski, Director Butte-Silver Bow Land Office, requesting Council's confirmation for the Chief Executive to enter into a service agreement with Selby's for maintenance on the large-scale copier/scanner in the Land Office. **Recommendation: Concur and place on file.**
14. 09-652 Klaus D Sitte, Montana Legal Services Association, requesting Council's authorization to sublease a portion of the Jacobs House to the Butte Citizens for Preservation and Revitalization. **Recommendation: Concur and place on file.**
15. 09-653 Gary Keeler, Transit Director, requesting Council's approval of the revised Butte-Silver Bow Transit System Substance Abuse Policy to meet current Federal Regulations. **Recommendation: Concur and place on file.**
16. 09-654 Dan Dennehy, Director Butte-Silver Bow Public Works Department, requesting Council's approval of an agreement between the Montana Department of Transportation and Butte-Silver Bow for the purpose of providing a mechanical sweeper funded with Montana Air and Congestion Initiative funds. **Recommendation: Concur and place on file.**
17. 09-655 Karen Byrnes, Director Community Development Department, requesting time on the October 21, 2009 agenda for applicants' presentations regarding Developer's Packet Proposals for (Surplus) parkland adjacent to Block, 9 Hillcrest addition, Section 28, Township 3 North, Range 7 West. **Recommendation: Concur and set presentation for October 21, 2009.**
18. 09-656 Karen Byrnes, Director Community Development Department, requesting time on the October 28, 2009 agenda for a Public Hearing regarding Developer's Packet Proposals for (Surplus) Parkland adjacent to Block 9, Hillcrest Addition, Section 28, Township 3 North, Range 7 West. **Recommendation: Concur and set Public Hearing for October 28, 2009**
19. 09-657 Sally Hollis, Clerk and Recorder – Election Administrator, requesting Council's authorization to purchase updates for three computers for the Clerk and Recorder's staff in the amount of \$912. **Recommendation: Concur and place on file.**
20. 09-658 Jeffrey Miller, Butte-Silver Bow Director of Fire Services, requesting Council's concurrence in amending the Butte-Silver Bow Municipal Code, Chapter 2.16 Fire Department, Section 2.16.370 Applicants and Members of Paid Fire Department-Requirements. **Recommendations: Refer to Judiciary Committee.**

21. 09-659 Dan Dennehy, Director Butte-Silver Bow Public Works Department, requesting Council's approval for a presentation BY Thorne Butler to the Public Works Committee on October 14, 2009 regarding the closure of a portion of the alley between Busch Street and Harrison on behalf of EDL, EGL, LLC. **Recommendation: Refer to Public Works Committee.**
22. 09-660 Roger Ebner, Director Butte-Silver Bow Disaster and Emergency Services, requesting Council's authorization for the Chief Executive to sign an agreement with Tetra Tech of Helena to update the City and County Hazard Mitigation Plan. **Recommendation: Concur and place on file.**
23. 09-661 Jon Sesso, Planning Director, requesting Council's authorization to submit proposal to the Montana Department of Natural Resources and Conservation under its Planning Grant Program and for the Chief Executive to sign the contract if awarded. **Recommendation: Concur and place on file.**
24. 09-662 Kristen Rosa, TIFID Administrator, requesting Council's authorization for the Chief Executive to sign letter of agreement with Crowley Fleck PLLP and Butte-Silver Bow for legal services associated with permanent easements for wastewater line. **Recommendation: Concur and place on file.**
25. 09-663 Lindsey Ide, Personnel Director, requesting Council's approval of the contract settlement with the Butte Police Protective Association and authorizing the Chief Executive to execute the documents. **Recommendation: Concur and place on file.**
26. 09-664 Rob Macioroski, Director Butte-Silver bow Land Office, requesting Council's approval to waive the fees for the Idaho Street Closure requested by the adjacent landowners. **Recommendation: Concur and place on file.**

**SECTION II COMMUNICATIONS TO BE READ AND ACTED UPON**

1. 09-650 Paul David Babb, Chief Executive, requesting Council's concurrence in the appointment of Ms. Lindsey Ide, 777 Green Acres Drive, Butte, Montana, to the position of Personnel Director.

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

**1. COUNCIL RESOLUTION NO. 09-72**

A RESOLUTION FIXING THE MANDATORY TAX LEVY FOR VARIOUS COUNTY WIDE FUNDS OF THE SCHOOL DISTRICTS WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN

THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FIXCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL RESOLUTION NO. 09-73**

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF BUTTE (COUNTY) HIGH SCHOOL DISTRICT NO. 1 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**3. COUNCIL RESOLUTION NO. 09-74**

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF BUTTE ELEMENTARY SCHOOL DISTRICT NO. 1 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**4. COUNCIL RESOLUTION NO. 09-75**

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF THE JOINT HIGH SCHOOL DISTRICT AND THE JOINT ELEMENTARY DISTRICTS NO. 1-4 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**5. COUNCIL RESOLUTION NO. 09-76**

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF RAMSAY ELEMENTARY SCHOOL DISTRICT NO. 3 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**6. COUNCIL RESOLUTION NO. 09-77**

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF DIVIDE ELEMENTARY SCHOOL DISTRICT NO. 4 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**7. COUNCIL RESOLUTION NO. 09-78**

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF MELROSE ELEMENTARY SCHOOL DISTRICT NO. 5 AT A RATE WHICH WILL RAISE THE

AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2009-2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION IV                    ORDINANCES AND RESOLUTIONS –  
                                         REFERRED TO JUDICIARY**

**1.                                    COUNCIL BILL NO. 09-8  
                                         ORDINANCE NO. 09-8**

AN ORDINANCE AMENDING CHAPTER 2.20 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “LAW ENFORCEMENT DEPARTMENT”; AMENDING SECTION 2.20.085, B-SB MC SUBSECTIONS A THROUGH C AND E THROUGH H, ENTITLED “FEES OF SHERIFF”; ADDING NEW SUBSECTIONS TO BE NUMBERED X AND Y; INCREASING VARIOUS FEES CHARGED BY THE SHERIFF AND PROVIDING FOR THE DEPOSIT OF SUCH INCREASES INTO THE LAW ENFORCEMENT PATROL VEHICLE REPLACEMENT AND EQUIPMENT FUND; ADDING A NEW CHARGE FOR SERVING ALL CIVIL PROCESS PAPERS OR DOCUMENTS THAT NEED TO BE NOTARIZED; ADDING A NEW CHARGE FOR SERVING CHILD SUPPORT DOCUMENTS FOR THE STATE OF MONTANA; PROVIDING FOR THE DEPOSIT OF THE NEW CHARGES TO BE PLACED IN THE LAW ENFORCEMENT PATROL VEHICLE REPLACEMENT AND EQUIPMENT FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2.                                    COUNCIL BILL NO. 09-09  
                                         ORDINANCE NO. 09-09**

AN ORDINANCE AMENDING SECTION 2 OF BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**3.                                    COUNCIL RESOLUTION NO. 09-60**

A RESOLUTION ACCEPTING THE DONATION OF A PORTION OF THE WEST SIDE OF COVERT STREET BETWEEN EAST PARK STREET AND EAST BROADWAY STREET, AND MORE PARTICULARLY DESCRIBED ON CERTIFICATE OF SURVEY NO. 900A-RB, OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**4.                                    COUNCIL RESOLUTION NO. 09-71**

A RESOLUTION ESTABLISHING CRITERIA FOR THE CLASSIFICATION OF UNSOLD TAX-DEED LANDS; DETERMINING THAT CERTAIN PROPERTY SHOULD BE HELD IN CITY-COUNTY OWNERSHIP BECAUSE OF COMPELLING PUBLIC INTEREST;



**SECTIONVII            CALENDAR OF OTHER MEETINGS AND EVENTS**

October 7	Health Department	7:00 AM	Health Department
October 12	Archives	Noon	Archives Center, 17 W Quartz
October 14	Law Enforcement Commission	4:00 PM	Chief's Executive's Conference Room
October 14	Library	5 PM	2 <sup>nd</sup> or 3 <sup>rd</sup> Floor – Library Building
October 14	Fire Advisory Council	5:00 PM	1 <sup>st</sup> Floor Conference Room
October 15	Zoning Board of Adjustment	5:30 PM	Council Chambers 3 <sup>rd</sup> Floor, Courthouse
October 19	Airport Authority	Noon	Bert Mooney Airport Admin Office
October 20	Parks and Recreation	4:15 PM	Civic Center Conference Room
October 20	Technical Review Committee	1:30 PM	3 <sup>rd</sup> Floor Conference Room
			Water Company Building
October 20	Housing Authority	5:30 PM	Silver Bow Homes
October 21	Community Enrichment	10:00 AM	Health Department
October 21	TIFID Board	11:30 AM	Business Development Center
			Board Room

**ADJOURN**

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# COMMITTEE OF THE WHOLE MEETING REPORT SEPTEMBER 23, 2009

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 I PUBLIC HEARING

NOTICE OF PASSAGE OF CITY AND COUNTY OF BUTTE-SILVER BOW  
PRELIMINARY BUDGET 2009-2010 AND SETTING DATE FOR PUBLIC HEARING.  
*Committee recommends that the Public Hearing be continued to September 28, 2009 at 5:30  
p.m.*

## SECTION II REQUEST FOR PROPOSALS

FOR THE PURPOSE OF RECEIVING SEALED PROPOSALS FOR ALLOCATION OF THE  
ONE MILL LEVIED BY THE CITY-COUNTY FOR 2008 ECONOMIC DEVELOPMENT  
MILL LEVY FUNDS. *Committee recommends the proposals be referred to the Economic De-  
velopment Mill Levy Committee for review and report back to Council.*

## SECTION III PRESENTATION COMMUNICATION NO. 09-622

Gary Keeler, Transit Manager, requesting time on September 16, 2009 agenda for presentation  
regarding American Recovery Act Funds to build a bus storage building and for approval for the  
Chief Executive to enter into an agreement with Montana Department of Transportation. *Com-  
mittee recommends to concur with Communication No. 09-622 and place on file.*

## SECTION IV COMMUNICATION NO. 09-365

Mike Sheehy, Commissioner District 10, requesting support on an ordinance that would make all  
new transmission line within our county be buried from border to border. *Committee recom-  
mends that Communication 09-365 be held in abeyance.*

## SECTION V COMMUNICATION NO. 09-482

Jeff Amerman, Finance and Budget Director requesting time on July 1, 2009 agenda for brief  
presentation on the budget process and budget schedule. *Committee recommends Communica-  
tion No. 09-482 be held in abeyance.*









FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends Council Resolution No. 09-57 be denied and placed on file.*

**SECTION VI COUNCIL RESOLUTION NO. 09-58**

A RESOLUTION ACCEPTING THE DONATION OF LOTS 11 AND 12 OF THE MOONLIGHT LODGE, AN UNFILED PLAT, MINERAL SURVEY NO. 800, LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends Council Resolution No. 09-58 be moved to final reading.*

**SECTION VII COUNCIL RESOLUTION NO. 09-59**

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION WITH THE DEPARTMENT OF COMMERCE OF THE STATE OF MONTANA, FOR A MONTANA NEIGHBORHOOD STABILIZATION PROGRAM GRANT UNDER THE TERMS OF THE COMMUNITY DEVELOPMENT ACT OF 1974 (42 USC 5301) AS AMENDED. *Committee recommends Council Resolution No. 09-59 be moved to final reading.*

**SECTION VIII CLAIM APPROVAL**

536	Harrington Bottling	\$12,782.00	Curb/Gutter/Sidewalk Bond Refund
813	R Lynn Petersen	\$ 400.00	Refund of Bond A
1416	William Parini	\$ 400.00	Demo Bond Refund
1439	Rob Lee	\$ 1,000.00	ST Opening Bond Refund
1479	John Kuchtyn	\$ 1,000.00	Street Opening Bond Refund
1716	CPK LLC	4 5,681.21	Redeem Tax Assg #293700

*Committee recommends all claims be approved as presented.*



**SECTION VII**

**COMMUNICATION NO. 09-600**

Ristene Hall, Commissioner District No. 8, requesting Council's authorization for the City to investigate two ditches on the 1900 block of Aberdeen Street. *Committee recommends that Communication No. 09-600 be placed on file.*