

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
AUGUST 19, 2015
7:30 P.M. COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE CLOSED SPECIAL MEETING OF AUGUST 5, 2015 AND THE REGULAR MEETING OF AUGUST 5, 2015.

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

SECTION 1 BID OPENING
COMMUNICATION NO. [15-368](#)

J.P. GALLAGHER, DIRECTOR, BUTTE-SILVER BOW PARKS & RECREATION DEPARTMENT, REQUESTING COUNCIL'S AUTHORIZATION TO HOLD A BID OPENING ON AUGUST 19, 2015 REGARDING THE CONSTRUCTION OF THE GRANDSTAND FOR MINER'S FIELD AT COPPER MOUNTAIN SPORTS PARK.

SECTION 2 PUBLIC HEARING
COMMUNICATION NO. [15-362](#)

DAVID SCHULTZ, DIRECTOR, BUTTE-SILVER BOW PUBLIC WORKS DEPARTMENT, REQUESTING COUNCIL'S AUTHORIZATION TO HOLD A PUBLIC HEARING ON AUGUST 19, 2015 REGARDING REVISING SECTIONS OF THE MUNICIPAL CODE RELATIVE TO SOLID WASTE COLLECTION AND RECYCLING SERVICES.

SECTION 3 PUBLIC HEARING (*Opened at August 5, 2015 Regular Meeting; Proof of Publication Noted*)
COMMUNICATION NO. [15-342](#)

DANETTE L. GLEASON, DIRECTOR, BUTTE-SILVER BOW FINANCE & BUDGET DEPARTMENT, REQUESTING COUNCIL'S APPROVAL OF THE FY 2015-16 PRELIMINARY BUDGET AND FOR COUNCIL'S AUTHORIZATION TO HOLD A PUBLIC HEARING ON AUGUST 5, 2015 REGARDING THE FY 2015-16 FINAL BUDGET.



SECTION 4 CONSENT AGENDA

- A. 1. COMMITTEE OF THE WHOLE MEETING REPORT
- 2. JUDICIARY COMMITTEE MEETING REPORT
- 3. PUBLIC WORKS COMMITTEE MEETING REPORT
- 4. FINANCE AND BUDGET COMMITTEE MEETING REPORT
- 5. PERSONNEL COMMITTEE MEETING REPORT

B. COMMUNICATIONS

1. [15-378](#) Mike Kadas, Director, Montana Department of Revenue, requesting Council's authorization for the Chief Executive to sign a lease agreement with the Montana Department of Revenue. [Lease Agreement](#) *Recommendation: Concur and Place on File.*
2. [15-379](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to sign an agreement with the Montana Department of Transportation to install new LED flashing stop signs at the intersection of Granite Street and Excelsior Avenue. [Agreement](#) *Recommendation: Concur and Place on File.*
3. [15-380](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign an agreement with Lee's Office City. [Agreement](#) *Recommendation: Concur and Place on File.*
4. [15-381](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign an agreement with Lee's Office City. [Agreement](#) *Recommendation: Concur and Place on File.*
5. [15-382](#) Karen Sullivan, Health Officer, Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign an agreement with Anaconda-Deer Lodge County. [Agreement](#) *Recommendation: Concur and Place on File.*
6. [15-383](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council's authorization for the Chief Executive to sign an agreement with YESCO Outdoor Media. [Agreement](#) *Recommendation: Concur and Place on File.*
7. [15-384](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to sign an amendment to an agreement with Water and Environmental Technologies, Inc. [Amendment](#) *Recommendation: Concur and Place on File.*
8. [15-385](#) Nikole Evankovich, Assistant Director, Archives, requesting Council's authorization for a Presentation to be given on the Root and the Bloom program on August 26, 2015. *Recommendation: Schedule a Presentation on August 26, 2015 and Hold in the Committee of the Whole.*
9. [15-386](#) Pat Holland, Manager, Butte-Silver Bow Government Buildings, requesting Council's authorization for the Chief Executive to sign an agreement with KONE, Inc. [Agreement](#) *Recommendation: Concur and Place on File.*



10. [15-387](#) Ronald Stormer, Director, Butte-Silver Bow Human Resources Department, requesting Council establish a pay and salary philosophy. *Recommendation: Refer to the Personnel Committee.*
11. [15-388](#) Maria Pochervina, Executive Secretary, Butte-Silver Bow Tourism Improvement District, informing Council of how TBID funds are distributed and used for marketing. *For Informational Purposes Only Recommendation: Note and Place on File.*
12. [15-389](#) Aubrey Jaap, Administrative Assistant, Archives, requesting Council's authorization for the Chief Executive to sign a license agreement with Wilma TV. [Agreement](#) *Recommendation: Concur and Place on File.*
13. [15-390](#) Matt Moore, Metro Operations Manager, Butte-Silver Bow Public Works Department, requesting Council authorize the County Attorney to revise sections of the Butte-Silver bow Municipal Code regarding wastewater treatment systems. *Revisions in the Council Secretary Office for Review Recommendation: Refer to the Judiciary Committee.*
14. [15-391](#) Cindy Perdue-Dolan, Butte-Silver Bow Commissioner, District No. 1, requesting Council's approval of a resolution that will fulfill a current Butte-Silver Bow ordinance regarding central purchasing of office supplies within Butte-Silver Bow city and county government. *Recommendation: Refer to the Committee of the Whole.*
15. [15-393](#) Rick Tilstra, Tilstra Construction, requesting an appeal of a decision made by the Historic Preservation Commission regarding 523 West Broadway Street. [Certificate of Appropriateness Application](#) *Recommendation: Refer to the Committee of the Whole.*
16. [15-394](#) Kristen Rosa, Administrator, Tax Increment Financing Industrial District (TIFID), requesting Council's authorization for the Chief Executive to sign a Rural Business Development Grant for Technical Assistance with the USDA. [Grant](#) *Recommendation: Concur and Place on File.*
17. [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. *Recommendation: Refer to Public Works Committee.*
18. [15-397](#) Chief Executive Matt Vincent, requesting Council's authorization to sign an agreement with the National Museum of the United States. [Agreement](#) *Recommendation: Concur and Place on File.*
19. [15-398](#) Chief Executive Matt Vincent, requesting Council's authorization to sign an agreement with the Human Resources Council District XII. [Agreement](#) *Recommendation: Concur and Place on File.*
20. [15-400](#) Nick Sandford, Road Operations Manager, Butte-Silver Bow Public Works Department, requesting Council's authorization for the Chief Executive to award and sign a bid award to Hollow Contracting. [Bid Award](#) *Recommendation: Concur and Place on File.*



21. [15-401](#) Bob Moreno, Bruce and Bobs Good Guy Pawn, requesting a street closure on September 2, 2015 to host a car show. [Event Form](#) [Map](#) *Recommendation: Refer to the Committee of the Whole Pending Approvals.*

SECTION 5 COMMUNICATIONS TO BE READ AND ACTED UPON

[15-392](#) Cindy Perdue-Dolan, Butte-Silver Bow Commissioner, District No. 1, requesting Council's approval of a resolution amendment that will allow the Council of Commissioners approval and oversight for budget transfers within each Butte-Silver Bow Department.

[15-396](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization for the Chief Executive to sign an agreement with the Butte Local Development Corporation. [Agreement](#)

[15-399](#) Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting Council close the Public Hearing regarding FY 2015-16 Budget, adopt the FY 2015-16 Final Budget, including attached addendums, and take action on all related budget/rate resolutions.

SECTION 6 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

I. COUNCIL BILL NO. [15-12](#) ORDINANCE NO. [15-12](#)

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 AN AREA PRESENTLY ZONED R-1 (ONE-FAMILY RESIDENCE ZONE) TO C-2 (COMMUNITY COMMERCIAL ZONE) THE AREA OF LAND CONSISTS OF 2.58 ACRES MORE OR LESS, AND IS LEGALLY DESCRIBED AS REMAINDER - 2, CERTIFICATE OF SURVEY 796-B, OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 8 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, GENERALLY LOCATED NORTH OF OLYMPIA STREET, SOUTH OF BUTTE TOWN CENTER AND WEST OF THE 1300 BLOCK OF HARRISON AVENUE, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 7 ORDINANCES AND RESOLUTIONS FINAL READING

I. RESOLUTION NO. [15-23](#)

A RESOLUTION OF THE COUNCIL OF COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA TO CREATE A SPECIAL IMPROVEMENT DISTRICT, TO BE KNOWN AS SPECIAL IMPROVEMENT DISTRICT NO. 1029, FOR THE PURPOSE OF ACCEPTING THE DONATION OF, AND IMPROVING FLEECER ROAD AND CARRIGER LANE AND THE SURROUNDING DITCHES AND CULVERTS, LOCATED IN SECTIONS 1 AND 2, TOWNSHIP 2



NORTH, RANGE 9 WEST P.M.M., TO THE CITY AND COUNTY OF BUTTE-SILVER BOW , STATE OF MONTANA; DESIGNATING AND DESCRIBING THE BOUNDARIES OF SAID PROPOSED SPECIAL IMPROVEMENT DISTRICT; STATING THE PURPOSE OF AND GENERAL CHARACTER OF THE IMPROVEMENTS TO NE MADE IN SAID SPECIAL IMPROVEMENT DISTRICT; ESTIMATING THE APPROXIMATE COST THEREOF FOR THE FIVE YEARS; DETERMINING AND DECLARING THAT PROPERTY WITHIN SAID SPECIAL IMPROVEMENT DISTRICT WILL BE ESPECIALLY BENEFITED AND AFFECTED BY SUCH PROPOSED IMPROVEMENT; DECLARING THAT SUCH PROPERTY SHOULD BE ASSESSED FOR THE COST THEREOF OF IMPROVEMENTS AND EXTENDING SUCH ASSESSMENTS TO BE IN ANNUAL INSTALLMENTS AND PROVIDING FOR THE FUNDS UPON WHICH SAID SPECIAL IMPROVEMENT FUNDS SHALL BE DRAWN; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

2. RESOLUTION NO. [15-24](#)

A RESOLUTION IN SUPPORT OF A COMPREHENSIVE CLEAN-UP AND RESTORATION OF THE HISTORIC SILVER BOW CREEK CORRIDOR, FROM TEXAS AVENUE AND EXTENDING WEST THROUGH THE URBAN CORE OF BUTTE TO THE CREEK'S CONFLUENCE WITH BLACKTAIL CREEK AT MONTANA STREET; REQUESTING THAT SAID CLEAN-UP AND RESTORATION BE COMPARABLE TO THE LEVEL OF WORK COMPLETED IN THE CREEK'S 26 MILE STRETCH TO THE WARM SPRINGS PONDS; AND REQUESTING THAT SAID CLEAN-UP AND RESTORATION BE PERMANENT, EFFECTIVE AND IN THE BEST INTEREST, HEALTH AND WELFARE OF THE CITIZENS OF BUTTE-SILVER BOW AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL BILL NO. [15-10](#)
ORDINANCE NO. [15-10](#)

AN ORDINANCE AMENDING CHAPTER 2.87 ENTITLED "COMMUNITY ENRICHMENT DEPARTMENT", CHAPTER 2.98 ENTITLED "WEED BOARD" AND CHAPTER 8.04 ENTITLED "WEED CONTROL", OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), SPECIFICALLY AMENDING SECTION 2.87.010, 2.87.020, 2.87.030, 2.87.040, 2.98.010, AND 8.04.110, DELETING SECTION 2.87.050, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

4. COUNCIL BILL NO. [15-11](#)
ORDINANCE NO. [15-11](#)

AN ORDINANCE AMENDING CHAPTER 8.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPECIAL EVENTS"; AND SPECIFICALLY AMENDING SECTIONS 8.24.050, 8.24.060, AND 8.24.090 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

SECTION 8 SUSPENSION OF THE RULES
FOR FINAL PASSAGE

1. RESOLUTION NO. 15-25

A RESOLUTION ADOPTING THE FINAL BUDGET OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE FISCAL YEAR 2015 —2016 AND SETTING LEVIES FOR FISCAL YEAR 2015 — 2016 BASED ON THE VALUE OF A MILL OF \$ \$60,157 CITY-COUNTY WIDE AND DECLARING THAT ALL PROTESTS AGAINST SAID BUDGET HAVE BEEN HEARD



AND DISPOSED OF; DECLARING THAT SAID BUDGET CONTAINS A CORRECT STATEMENT OF THE AMOUNT TO BE APPROPRIATED FOR EACH OF THE FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW FOR THE FISCAL YEAR BEGINNING ON THE 1ST DAY OF JULY, 2015 AND ENDING ON THE 30TH DAY OF JUNE, 2016 AS FIXED IN SAID BUDGET PASSED ON THE 19TH DAY OF AUGUST, 2015, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. RESOLUTION NO. 15-26

A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2015- 2016 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE COLLECTED AND REMOVED FROM EACH INDIVIDUAL DWELLING COLLECTION UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF COLLECTING AND REMOVING SAID SOLID WASTE; LEVYING A LANDFILL FACILITY ACCESS FEE FOR THE FISCAL YEAR 2015 - 2016 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE DISPOSED OF FOR EACH INDIVIDUAL DISPOSAL UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF MAINTAINING AND OPERATING SAID SOLID WASTE DISPOSAL FACILITY AND ESTABLISHING A SCHEDULE OF FEES FOR SUCH ASSESSMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. RESOLUTION NO. 15-27

A RESOLUTION FIXING AND ESTABLISHING SEWER RATES AND SERVICE CHARGES FOR THE OPERATION, MAINTENANCE AND CAPITAL IMPROVEMENTS OF THE METRO SEWER SANITARY AND STORM SEWER SYSTEM AND FOR THE OPERATION, MAINTENANCE AND CAPITAL IMPROVEMENT OF THE METRO SEWER TREATMENT PLANT BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA FOR FISCAL YEAR 2015 – 2016 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

August 25	Port of Montana	12:00 PM	Hub Center, Silver Bow
August 26	Urban Revitalization	8:30 AM	1 st Floor Conference Rm., Courthouse
August 26	Local Emergency Planning	12:00 PM	1 st Floor Conference Rm., Courthouse
August 27	Zoning Board	5:30 PM	Council Chambers, Courthouse
September 1	Historic Preservation	5:30 PM	Council Chambers, Courthouse
September 2	Board of Health	7:00 AM	Health Department
September 2	Airport Authority	12:00 PM	Bert Mooney Airport Authority Admin Office
September 2	Butte AIDS Support Services	7:00 PM	Community Center

ADJOURN_____



**ECONOMIC DEVELOPMENT COMMITTEE MEETING
AUGUST 19, 2015
6:00 PM COURTHOUSE COUNCIL CHAMBERS**

SECTION 1 COMMUNICATION NO. [14-593](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council'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. [15-37](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting the opening of the Economic Development Mill Levy proposals into the public record and referred to the Economic Development Standing Committee for review and recommendations.

SECTION 3 COMMUNICATION NO. [15-288](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, informing the Council of Commissioner's Economic Development Committee information regarding the use, occupancy, and revenue generated by the Business Development Center.



COMMITTEE OF THE WHOLE MEETING REPORT

AUGUST 12, 2015

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. [15-345](#)

DAVE SCHULTZ, DIRECTOR, BUTTE-SILVER BOW PUBLIC WORKS DEPARTMENT, REQUESTING COUNCIL AUTHORIZE A BID OPENING ON AUGUST 12, 2015 REGARDING THE REPAIR OF ASPHALT ON COBBAN AND GEORGE STREETS.

Bid Opening Held.

SECTION 2 PUBLIC HEARING *(Opened at August 5, 2015 Regular Meeting; Proof of Publication Noted)* COMMUNICATION NO. [15-342](#)

DANETTE L. GLEASON, DIRECTOR, BUTTE-SILVER BOW FINANCE & BUDGET DEPARTMENT, REQUESTING COUNCIL'S APPROVAL OF THE FY 2015-16 PRELIMINARY BUDGET AND FOR COUNCIL'S AUTHORIZATION TO HOLD A PUBLIC HEARING ON AUGUST 5, 2015 REGARDING THE FY 2015-16 FINAL BUDGET.

Public Hearing Held. Remained Opened.

SECTION 3 COMMUNICATION NO. [14-549](#)

Dave Palmer, Butte-Silver Bow Commissioner, District No. 12, requesting Council ask the Planning Board to consider limiting the placement of pre-1976 mobile homes and the placement of mobile home parks in general.

Recommendation: Cross-Reference with Ordinance No. 15-6 and Place on File.

SECTION 4 COMMUNICATION NO. [15-251](#)

Henry and Colleen Klobucar, 2221 S. Main St., Butte, MT., requesting Council's authorization to purchase county-owned property under the adjacent land owner policy.

Recommendation: Hold in Abeyance.

SECTION 5 COMMUNICATION NO. [15-264](#)

Francis P. McGee, 125 West Granite Street, Butte, MT., requesting Council work with the residents in the Clark's Park area to enforce noise restrictions, prohibitions against folf in the park and enforce the 10 PM closure time. [Projectile Petition](#) [Noise Petition](#) [Letters of Support](#)

Recommendation: Hold in Abeyance.



SECTION 6 COMMUNICATION NO. [15-314](#)

Danette L. Gleason, Director, Butte-Silver Bow Finance and Budget Department, requesting the FY 2015-16 Preliminary Budget be sent to the Finance & Budget Committee for their July 8, 2015 Finance & Budget Committee Meeting.

Recommendation: Concur and Place on File.

SECTION 7 COMMUNICATION NO. [15-334](#)

Robert A. Macioroski, Director, Butte-Silver Bow Land Office, requesting Council ask the Community Development Department to prepare and issue Developer's Packets for 208 S. Washington and 821 Highland Avenue.

Recommendation: Hold in Abeyance.

SECTION 8 COMMUNICATION NO. [15-345](#)

Dave Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council authorize a Bid Opening on August 12, 2015 regarding the repair of asphalt on Cobban and George Streets.

Recommendation: Place on File.

SECTION 9 COMMUNICATION NO. [15-356](#)

Kenneth and Michelle Palmer, 936 Zarelda Street, Butte, MT., requesting Council's authorization to purchase county-owned property under the adjacent landowner policy. [Map](#)

Recommendation: Hold in Abeyance.

SECTION 10 COMMUNICATION NO. [15-357](#)

Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization to hold a Public Hearing on August 26, 2015 regarding Developer Packets proposals for 208 S. Washington and 821 Highland Avenue.

Recommendation: Hold in Abeyance.

SECTION 11 COMMUNICATION NO. [15-358](#)

Brendan McDonough, Butte-Silver Bow Commissioner, District No. 8, requesting a review of zoning ordinances regarding the keeping of horses on property within the city limits.

Recommendation: Hold in Abeyance.

SECTION 12 COMMUNICATION NO. [15-359](#)

Lori Casey, Assistant Planning Director, Butte-Silver Bow Planning Board, requesting Council approve Zoning Application No. 172 and ask for an ordinance to be prepared adopting the proposed change.

[Staff Analysis](#)

Recommendation: Hold in Abeyance.



SECTION 13 COMMUNICATION NO. [15-362](#)

David Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council's authorization to hold a Public Hearing on August 19, 2015 regarding revising sections of the Municipal Code relative to solid waste collection and recycling services.

Recommendation: Hold in Abeyance.

SECTION 14 COMMUNICATION NO. [15-366](#)

Dan Dennehy, Director, Emergency Management Agency, requesting Council's authorization to hold a Bid Opening on August 26, 2015 regarding maintenance and repair of Butte-Silver Bow radios and electronic equipment at the 911 center.

Recommendation: Hold in Abeyance.

SECTION 15 COMMUNICATION NO. [15-368](#)

J.P. Gallagher, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council's authorization to hold a Bid Opening on August 19, 2015 regarding the construction of the Grandstand for miner's field at Copper Mountain Sports Park.

Recommendation: Hold in Abeyance.

Committee Members:

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



JUDICIARY COMMITTEE MEETING REPORT

AUGUST 12, 2015

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 COMMUNICATION NO. [15-206](#)

E. Jay Ellington, Director of Butte-Silver Bow Parks & Recreation Department, requesting Council consider proposed changes to the ordinance regarding allowing dogs in Butte-Silver Bow Parks. [Proposed Ordinance Changes](#)

Recommendation: Cross-Reference with Ordinance No. 15-8 and Place on File.

SECTION 2 COMMUNICATION NO. [15-276](#)

Jim Fisher, Butte-Silver Bow Commissioner, District No. 6, requesting Council read, review and discuss a proposed resolution regarding Superfund issues within Butte-Silver Bow. [Proposed Resolution](#)

Recommendation: Cross-Reference with Resolution No. 15-24 and Place on File.

SECTION 3 COMMUNICATION NO. [15-310](#)

Dave Schultz, Director, Butte-Silver Bow Public Works Department, requesting Council authorize the County Attorney to revise sections of the Butte-Silver Bow Municipal Code regarding solid waste collection and recycling services.

Recommendation: Cross-Reference with Ordinance No. 15-13 and Place on File.

SECTION 4 COMMUNICATION NO. [15-319](#)

Nick Sandford, Road Operations Manager, Public Works Department, requesting Council ask the County Attorney to draft a resolution creating Special Improvement District No. 1029. [Resolution No. 15-2](#) [Rauch Letter](#) [Fortune Letter](#)

Recommendation: Cross-Reference with Resolution No. 15-23 and Place on File.

SECTION 5 RESOLUTION NO. [15-23](#)

A RESOLUTION OF THE COUNCIL OF COMMISSIONERS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA TO CREATE A SPECIAL IMPROVEMENT DISTRICT, TO BE KNOWN AS SPECIAL IMPROVEMENT DISTRICT NO. 1029, FOR THE PURPOSE OF ACCEPTING THE DONATION OF, AND IMPROVING FLEECER ROAD AND CARRIGER LANE AND THE SURROUNDING DITCHES AND CULVERTS, LOCATED IN SECTIONS 1 AND 2, TOWNSHIP 2 NORTH, RANGE 9 WEST P.M.M., TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; DESIGNATING AND DESCRIBING THE BOUNDARIES OF SAID PROPOSED SPECIAL IMPROVEMENT DISTRICT; STATING THE PURPOSE OF AND GENERAL CHARACTER



OF THE IMPROVEMENTS TO NE MADE IN SAID SPECIAL IMPROVEMENT DISTRICT; ESTIMATING THE APPROXIMATE COST THEREOF FOR THE FIVE YEARS; DETERMINING AND DECLARING THAT PROPERTY WITHIN SAID SPECIAL IMPROVEMENT DISTRICT WILL BE ESPECIALLY BENEFITED AND AFFECTED BY SUCH PROPOSED IMPROVEMENT; DECLARING THAT SUCH PROPERTY SHOULD BE ASSESSED FOR THE COST THEREOF OF IMPROVEMENTS AND EXTENDING SUCH ASSESSMENTS TO BE IN ANNUAL INSTALLMENTS AND PROVIDING FOR THE FUNDS UPON WHICH SAID SPECIAL IMPROVEMENT FUNDS SHALL BE DRAWN; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Recommendation: Move to Final Reading.

SECTION 6 RESOLUTION NO. [15-24](#)

A RESOLUTION IN SUPPORT OF A COMPREHENSIVE CLEAN-UP AND RESTORATION OF THE HISTORIC SILVER BOW CREEK CORRIDOR, FROM TEXAS AVENUE AND EXTENDING WEST THROUGH THE URBAN CORE OF BUTTE TO THE CREEK'S CONFLUENCE WITH BLACKTAIL CREEK AT MONTANA STREET; REQUESTING THAT SAID CLEAN-UP AND RESTORATION BE COMPARABLE TO THE LEVEL OF WORK COMPLETED IN THE CREEK'S 26 MILE STRETCH TO THE WARM SPRINGS PONDS; AND REQUESTING THAT SAID CLEAN-UP AND RESTORATION BE PERMANENT, EFFECTIVE AND IN THE BEST INTEREST, HEALTH AND WELFARE OF THE CITIZENS OF BUTTE-SILVER BOW AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Recommendation: Move to Final Reading.

SECTION 7 COUNCIL BILL NO. [15-13](#) ORDINANCE NO. [15-13](#)

AN ORDINANCE AMENDING CHAPTER 8.08 ENTITLED "LITTER CONTROL", OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), SPECIFICALLY AMENDING SECTION 8.08.010, 8.08.020, 8.08.060, 8.08.070, 8.08.80, AND ADDING NEW SECTION 8.08.110, AND RENUMBERING PREVIOUS SECTIONS 8.08.110 THROUGH 8.08.130 AS SECTIONS 8.08.120 THROUGH 8.08.140, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

Recommendation: Hold in Judiciary Pending Public Hearing.

SECTION 8 COUNCIL BILL NO. [15-10](#) ORDINANCE NO. [15-10](#)

AN ORDINANCE AMENDING CHAPTER 2.87 ENTITLED "COMMUNITY ENRICHMENT DEPARTMENT", CHAPTER 2.98 ENTITLED "WEED BOARD" AND CHAPTER 8.04 ENTITLED "WEED CONTROL", OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), SPECIFICALLY AMENDING SECTION 2.87.010, 2.87.020, 2.87.030, 2.87.040, 2.98.010, AND 8.04.110, DELETING SECTION 2.87.050, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

Recommendation: Move to Final Reading.

SECTION 9 COUNCIL BILL NO. [15-11](#) ORDINANCE NO. [15-11](#)

AN ORDINANCE AMENDING CHAPTER 8.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SPECIAL EVENTS"; AND SPECIFICALLY AMENDING SECTIONS 8.24.050, 8.24.060, AND 8.24.090 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. [Redline](#)

Recommendation: Move to Final Reading.



SECTION 10 CLAIM APPROVAL

NAME	AMOUNT	RECOMMENDATION
Montana Quality Construction	\$400.00	<i>Approved</i>
Diane Clark	\$250.00	<i>Approved</i>
Robert Baide	\$350.00	<i>Approved</i>
James Barnes	\$6,215.69	<i>Approved</i>
Jeffrey Hafer	\$8,045.50	<i>Approved</i>
RDB Properties, LLC	\$2,503.57	<i>Approved</i>
	\$3,707.33	<i>Approved</i>
RDB Properties, LLC	\$2,911.94	<i>Approved</i>

Committee Members:

Bud Walker, Chairman *Present*
 Bill Andersen, Vice-Chairman *Present*
 Dave Palmer *Absent*
 John Sorich *Present*
 Cindy Perdue-Dolan *Present*
 Brendan McDonough *Present*



PUBLIC WORKS COMMITTEE MEETING REPORT

AUGUST 12, 2015

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 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.

Recommendation: Nick Sanford advised RR's are discussing it, also, Rarus RR fixed Arizona Street Crossing and contracted weed control to BSB. Will report further progress. Hold in Abeyance.

SECTION 2 COMMUNICATION NO. [15-335](#)

Eldon Beall, 505 N. Wyoming Street, Butte, MT., requesting Council clarify whether city-owned property is an access area, once considered an alley and a road. [Maps Ordinances](#)

Recommendation: Advised by Nick Sanford this property is owned by BSB. Karen Byrnes advised Mr. Moore she will have Parking check this area off and on. Concur and Place on File.

Committee Members:

Dennis Henderson, Chairman	Present
Sheryl Ralph, Vice-Chairman	Absent
Brendan McDonough	Present
Bud Walker	Absent
Jim Fisher	Present
Dan Foley	Absent
Bill Andersen	Present
John Sorich	Present



FINANCE & BUDGET COMMITTEE MEETING REPORT AUGUST 12, 2015

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 August 12, 2015 was reviewed for the amount of:

FY 2015 \$56,279.66

FY 2016 \$247,950.02

Committee Members:

John Sorich, Chairman	<i>Present</i>
Jim Fisher, Vice-Chairman	<i>Present</i>
Brendan McDonough	<i>Present</i>
Bill Andersen	<i>Present</i>
Dennis Henderson	<i>Present</i>
Cindy Perdue-Dolan	<i>Present</i>



PERSONNEL COMMITTEE MEETING REPORT

AUGUST 12, 2015

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ladies and Gentlemen,

We, your Personnel Committee, respectfully recommend as follows:

SECTION 1 COMMUNICATION NO. [15-321](#)

Ronald Stormer, Director, Butte-Silver Bow Human Resources Department, requesting Council's approval of the proposed compensation plan for Butte-Silver Bow employees.

Recommendation: Note and Place on File.

Committee Members:

Dan Foley, Chairman	<i>Absent</i>
Dave Palmer, Vice- Chairman	<i>Absent</i>
Bill Andersen	<i>Present</i>
Dennis Henderson	<i>Present</i>
Jim Fisher	<i>Present</i>
John Sorich	<i>Present</i>

