

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JUNE 21, 2023
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[June 7, 2023, Regular Meeting Minutes](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE’S REPORT

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

SECTION 1: BID OPENINGS, PUBLIC HEARINGS AND/OR PRESENTATIONS

BID OPENING

1.COMMUNICATION NO. [2023-300](#)

Mark Neary, Public Works Director, requesting Council of Commissioners concurrence to schedule a bid opening for June 21, 2023, for Water Main Materials Project 2023.

2.COMMUNICATION NO. [2023-306](#)

Jim Keenan, BSB Water Treatment Supervisor, requesting Council of Commissioners concurrence to schedule a bid opening for June 21, 2023, for supplying Installation Services for the inline self-cleaning filters to be installed in the TIFID Pump Station.

SECTION 2: CONSENT AGENDA

A. COMMITTEE REPORTS

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.COMMUNICATION NO. [2023-312](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence to the appointment of Sara Sprunger, 2615 Princeton Street and Tom Cronnelly, 106 Laurel Road, Butte MT to the Silver Bow Development Disabilities Council.

Concur and Place on File

2.COMMUNICATION NO. [2023-313](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign Contract #MT-MMS-PL-23_001 for the Montana Main Street Planning Grant in the amount of \$50,000 for the completion of a Wayfinding Plan for Uptown Butte.

[2023-313 Agreement](#)

Concur and Place on File

3.COMMUNICATION NO. [2023-314](#)

Aubrey Jaap, BSB Public Archives Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher renew the Butte Symphony lease agreement at the Clark Chateau.

[2023-314 Agreement](#)

Concur and Place on File

4.COMMUNICATION NO. [2023-315](#)

John Sorich, Commissioner District 4, requesting Council of Commissioners to be advised that due to many complaints from people in his district, that there is a problem with junk vehicles and RV's posing safety concerns as they reduce visibility and create blind spots at intersections. The ordinances are not being followed or enforced.

Refer to Judiciary Committee

5.COMMUNICATION NO. [2023-316](#)

Zane Gleason, Public Works Project Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between Butte-Silver Bow and H&H Contracting for sidewalks to be replaced in Butte – Silver Bow. The contract total is \$141,688.

[2023-316 Agreement](#)

Concur and Place on File

6.COMMUNICATION NO. [2023-317](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign Contract #MT-MMS-CG-23-014 for the Montana Main Street Planning Grant in the amount of \$50,000 for the completion of crosswalk improvements for Uptown Butte.

[2023-317 Agreement](#)

Concur and Place on File



7.COMMUNICATION NO. [2023-318](#)

Mathew Boyle, Parade and Events Coordinator, requesting Council of Commissioners authorization to close Alabama Street below Chester Steele Park on July 3, 2023, in order to hold the The Big Bang celebration for the 4th of July.

Concur and Place on File

8.COMMUNICATION NO. [2023-319](#)

Brendan McDonough, Montana Irish Festival Executive Director, requesting Council of Commissioners authorization to reserve the Original Mine Yard for the 2023 An Ri' Ra' Montana Irish Festival on August 11-13th. The Committee is asking for use of the Original from Monday August 7th until Monday August 14th to accommodate the site set-up and tear-down of the festival.

Concur and Place on File

9.COMMUNICATION NO. [2023-320](#)

Bill Melvin, Butte Civic Center Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the proposal from Tutt Construction of Billings, MT for the replacement of the bleachers at the Butte Civic Center.

[2023-320 Proposal](#)

Concur and Place on File

10.COMMUNICATION NO. [2023-321](#)

Elizabeth Osborn, BSB Senior Planner, requesting Council of Commissioners authorization to apply for a grant application with the National Center for Appropriate Technology's (NCAT) USDA Composting and Food Waste Reduction (CFWR).

Concur and Place on File

11.COMMUNICATION NO. [2023-322](#)

Lisa Bracco, BSB County Fair Board, requesting Council of Commissioners authorization for the use of The Original Mine Yard for the Butte-Silver Bow County Fair July 27–29, 2023.

Concur and Place on File

12.COMMUNICATION NO. [2023-323](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Teamsters, Local No. 2.

[2023-323 MOU](#)

Concur and Place on File

13.COMMUNICATION NO. [2023-324](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Montana Federation of Public Employees (MFPE), Local No. 4372.

[2023-324 MOU](#)

Concur and Place on File



14.COMMUNICATION NO. [2023-325](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Collective Bargaining agreement between the City-County of Butte-Silver Bow and the Laborer’s International union of North American (LIUNA), Local No. 1686.

[2023-325 Agreement](#)

[2023-325 Redline Agreement](#)

Concur and Place on File

15.COMMUNICATION NO. [2023-326](#)

Danette Gleason, Finance & Budget Director, requesting the Council of Commissioners that the Fiscal Year 2024 Preliminary Budget will be referred to the Finance & Budget Committee for the July 12, 2023, Finance & Budget Committee meeting.

Concur and Place on File

16.COMMUNICATION NO. [2023-327](#)

Dan Villa, 146 Whisper Ridge, Butte MT, informing the Council of Commissioners that the Homestake Meadow II Homeowners Association voted overwhelmingly at their June 13, semi-annual meeting to request Butte-Silver Bow form a special improvement district for the purpose of road paving. Attached is a map of the proposed properties for inclusion and the successful bid we received from a local contractor.

Note and Place on File

17.COMMUNICATION NO. [2023-328](#)

Head Start and citizens of Arizona Street, requesting the Council of Commissioners acknowledge that a dangerous situation exists on the 1000 and 1100 blocks of Arizona Street. Attached is a signed petition from Head Start, Hawe Steel and the citizens on the 1000 and 1100 blocks of Arizona. We are asking that a stop sign be installed on Arizona street and First Street.

Refer to Public Works

18.COMMUNICATION NO. [2023-329](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Memorandum of Understanding between Butte-Silver Bow and Solvay for the purchase of excess dirt in Montana Connections.

[2023-329 MOU](#)

Concur and Place on File

19.COMMUNICATION NO. [2023-330](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the YESCO and Butte-Silver Bow Health Department to replace the main health department electrical sign on Front Street.

[2023-330 Agreement](#)

Concur and Place on File



20.COMMUNICATION NO. [2023-331](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the Montana Department of Public Health and Human Services and Butte-Silver Bow Health Department for Wastewater Testing Surveillance.

[2023-331 Agreement](#)

Concur and Place on File

21.COMMUNICATION NO. [2023-332](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the BSB Air Purifier Loan Out Program that will be designed to aid the count's vulnerable population in making a clean indoor air space in their home during an adverse air event.

[2023-332 Loan Program Agreement](#)

Concur and Place on File

22.COMMUNICATION NO. [2023-333](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the Montana Department of Public Health and Human Services and Butte-Silver Bow Health Department for the Public Health Emergency Preparedness task order in the amount of \$73,355.

[2023-333 Agreement](#)

Concur and Place on File

23.COMMUNICATION NO. [2023-334](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the Montana Department of Public Health and Human Services and Butte-Silver Bow Health Department for the Immunization Program task order in the amount of \$17,282.00.

[2023-334 Agreement](#)

Concur and Place on File

24.COMMUNICATION NO. [2023-335](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the Montana Department of Public Health and Human Services and Butte-Silver Bow Health Department for the HIV Prevention and Immunization Services task order in the amount of \$68,590.00.

[2023-335 Agreement](#)

Concur and Place on File

25.COMMUNICATION NO. [2023-336](#)

Karen Maloughney, BSB Health Officer, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between the Montana Department of Public Health and Human Services and Butte-Silver Bow Health Department for the Strengthening Public Health Workforce funding in the amount of \$96,000.

[2023-336 Agreement](#)

Concur and Place on File



26.COMMUNICATION NO. [2023-337](#)

Emily Lott, Behavioral Health Coordinator, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Professional Service agreement with Community Counseling, and Correctional Services Inc. (CCCS) to provide behavioral health crisis response services to BSB residents and Detention Center.

[2023-338 Agreement](#)

Concur and Place on File

27.COMMUNICATION NO. [2023-338](#)

Emily Lott, Behavioral Health Coordinator, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Crisis Diversion Funding from Montana Department of Public Health and Human Services (DPHHS) in the amount of \$254,940.40.

[2023-338 Grant Agreement](#)

Concur and Place on File

28.COMMUNICATION NO. [2023-339](#)

Angie Mullikin, Public Works Grants Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Water Treatment Plants Generator Maintenance agreement with Western States Caterpillar of Missoula.

[2023-339 Agreement](#)

Concur and Place on File

29.COMMUNICATION NO. [2023-340](#)

Angie Mullikin, Public Works Grants Manager, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the amendment agreement for Montana Coal Endowment Program (MCEP) for Basin Creek Dam #1.

[2023-340 Amendment Agreement](#)

Concur and Place on File

30.COMMUNICATION NO. [2023-341](#)

Mark Neary, Public Works Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an agreement between Butte-Silver Bow Water and Environmental Technologies for the design of the West Side Storm Water System.

[2023-341 Agreement](#)

Concur and Place on File

31.COMMUNICATION NO. [2023-342](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Collective Bargaining agreement between the City-County of Butte-Silver Bow and the Montana Nurses Association, Local No. 37.

[2023-342 Agreement](#)

Concur and Place on File



32.COMMUNICATION NO. [2023-343](#)

Eileen Joyce, BSB County Attorney, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign a Professional Services agreement between the City-County of Butte-Silver Bow, Montana and Community Counseling and Correctional Services, Inc. (CCCS), to perform services related to the Residential Substance Abuse Treatment Program (RSAT).

[2023-343 Agreement](#)

Concur and Place on File

33.COMMUNICATION NO. [2023-344](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow, Montana and the Southwest Montana States Regional Council of Carpenters.

[2023-344 MOU](#)

Concur and Place on File

34.COMMUNICATION NO. [2023-345](#)

Beth Wurm, Human Resources Director, requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow, Montana and the Butte Teamsters' Union, Local No. 2.

[2023-345 MOU](#)

Concur and Place on File

SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED FOR SECOND READING

1.COUNCIL BILL NO. [2023-04](#)

ORDINANCE NO. [2023-04](#)

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “SOLID WASTE MANAGEMENT FACILITY”, SPECIFICALLY AMENDING SECTION 13.12.070, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[2023-04 REDLINE](#)

SECTION 4: ORDINANCES AND RESOLUTIONS INTRODUCED FOR FINAL READING

1.RESOLUTION NO. [2023-18](#)

A RESOLUTION APPROVING COMPREHENSIVE PLAN AMENDMENT NO. 23-000001 TO APPROVE CHANGES TO THE 2020 BUTTE-SILVER BOW COMPREHENSIVE PLAN: INCORPORATING, BY REFERENCE, THE BUTTE-SILVER BOW PARKS MASTER PLAN INTO THE APPENDICES OF THE BUTTE-SILVER BOW COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



2.RESOLUTION NO. [2023-22](#)

A RESOLUTION ACCEPTING THE DONATION FROM THE VIGALANTE RODEO AND SADDLE CLUB (SADDLE CLUB) OF TWO STEEL UNASSEMBLED POLE BARNs TO THE CITY-COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA (CITY-COUNTY) AND REPEALING RESOLUTION 18-19 WHICH AUTHORIZED THE DONATION OF THESE SAME TWO STEEL UNASSEMBLED POLE BARNs BY THE CITY-COUNTY TO THE SADDLE CLUB AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3.RESOLUTION NO. [2023-23](#)

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 UNANTICIPATED REVENUE TO THE CITY-COUNTY OF BUTTE-SILVER BOW FROM COLLECTION OF FEES IN THE IMMUNIZATION PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

CALENDAR OF OTHER MEETINGS AND EVENTS

- June 22, 2022, Planning Board, 5:30 pm, Council Chambers
- June 26, 2022, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.
- June 27, 2022, Port of Montana, 12:00 pm, Hub Center, Silver Bow
- June 27, 2022, Urban Revitalization, 8:30 am
- June 28, 2022, Local Emergency Planning, 12:00 pm, Butte Justice Center
- June 28, 2022, South Butte TEDD, 4:00 pm, Business Development Center
- June 28, 2022, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center, 3615 Wynne

PUBLIC COMMENT ON ANY MATTER NOT ON THE AGENDA

ADJOURN

MEETINGS

FINANCE & BUDGET COMMITTEE MEETING

JUNE 21, 2023

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of June 21, 2023, was reviewed and approved in the amount of \$ _____ for FY 2023.



MEETING REPORTS

COMMITTEE OF THE WHOLE REPORT

JUNE 14, 2023

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 OPENINGS, PUBLIC HEARINGS AND/OR PRESENTATIONS PUBLIC HEARING

PRESENTATIONS

1.COMMUNICATION NO. [2023-294](#)

Ed Heard, Recreation & Events Coordinator requesting Council of Commissioners concurrence to schedule a presentation on June 14, 2023, by Nick Chapman of the Skyhawks Sports Academy.

Held

SECTION 2: COMMUNICATIONS

1.COMMUNICATION NO. [2023-310](#)

Shawn Fredrickson, Council Chair, requesting Council conduct interviews for the position of the Clerk of District Court at the Committee of the Whole meeting on June 14th, 2023. Following the interviews, Council will vote to fill the upcoming vacancy.

Cross Reference with Communication No. 2023-311 and Place on File

2.COMMUNICATION NO. [2023-291](#)

Kristen Rosa, Economic Development Coordinator, requesting Council of Commissioners authorization of Tax Abatement under MCA 15-24-1402, a 10-year tax abatement for the construction of a new manufacturing facility in the Montana Connection Business Park.

Hold in Abeyance

3.COMMUNICATION NO. [2023-300](#)

Mark Neary, Public Works Director, requesting Council of Commissioners concurrence to schedule a bid opening for June 21, 2023, for Water Main Materials Project 2023.

Hold in Abeyance

4.COMMUNICATION NO. [2023-306](#)

Jim Keenan, BSB Water Treatment Supervisor, requesting Council of Commissioners concurrence to schedule a bid opening for June 21, 2023, for supplying Installation Services for the inline self-cleaning filters to be installed in the TIFID Pump Station.

Hold in Abeyance



FINANCE AND BUDGET COMMITTEE MEETING REPORT

JUNE 14, 2023

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

Expenditure report for the week of June 14, 2023, was reviewed and approved in the amount of \$906,643-53 for FY 2023.

<u>Committee Members</u>	<u>Present /Absent</u>
Hattie Thatcher, Chair	P
Jim Fisher, Vice Chair	P
Josh O’Neill	P
Tommy Walker	P
John Riordan	P
Justin Fortune	P

PUBLIC WORKS COMMITTEE MEETING REPORT

JUNE 14, 2023

6:30 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

1.COMMUNICATION NO. [2023-182](#)

John Sorich, Commissioner District 4 requesting the Council of Commissioners concurrence to refer a formal complaint regarding snow melt and storm water issues that has caused serious property damage over a period of time, to the Public Works Committee for further discussion.

Note and Place on File

Sorich will visit with neighborhood and if people want the alley lowered, Public Works will do with no repercussions.

<u>Committee Members</u>	<u>Present /Absent</u>
Eric Mankins, Chair	A
John Sorich, Vice Chair	P
Josh O’Neill	P
Jim Fisher	P
Justin Fortune	P
Dan Callahan	P

JUDICIARY COMMITTEE MEETING REPORT

JUNE 14, 2023

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS



1. RESOLUTION NO. [2023-18](#)

A RESOLUTION APPROVING COMPREHENSIVE PLAN AMENDMENT NO. 23-000001 TO APPROVE CHANGES TO THE 2020 BUTTE-SILVER BOW COMPREHENSIVE PLAN: INCORPORATING, BY REFERENCE, THE BUTTE-SILVER BOW PARKS MASTER PLAN INTO THE APPENDICES OF THE BUTTE-SILVER BOW COMPREHENSIVE PLAN AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

2. RESOLUTION NO. [2023-22](#)

A RESOLUTION ACCEPTING THE DONATION FROM THE VIGALANTE RODEO AND SADDLE CLUB (SADDLE CLUB) OF TWO STEEL UNASSEMBLED POLE BARNs TO THE CITY-COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA (CITY-COUNTY) AND REPEALING RESOLUTION 18-19 WHICH AUTHORIZED THE DONATION OF THESE SAME TWO STEEL UNASSEMBLED POLE BARNs BY THE CITY-COUNTY TO THE SADDLE CLUB AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

3. RESOLUTION NO. [2023-23](#)

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 UNANTICIPATED REVENUE TO THE CITY-COUNTY OF BUTTE-SILVER BOW FROM COLLECTION OF FEES IN THE IMMUNIZATION PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

4. COUNCIL BILL NO. [2023-04](#)

ORDINANCE NO. [2023-04](#)

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “SOLID WASTE MANANGEMENT FACILITY”, SPECIFICALLY AMENDING SECTION 13.12.070, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[2023-04 REDLINE](#)

Move to Second Reading

Name	Amount	Reason	Approved	
GUARDIAN TAX MT LLC	\$1692.31	REFUND/REDEPTION OF TAX ASSIGNMENT TAKE PARCEL #0001008200	YES	
GUARDIAN TAX MT LLC	\$1243.32	REFUND/REDEMPTION OF TAX ASSIGNMENT #0001421800	YES	



GUARDIAN TAX MT LLC	\$2897.75	REFUND/REDEMPTION OF TAX ASSIGNMENT #0001421700	YES	
GUARDIAN TAX MT LLC	\$798.22	REFUND/REDEMPTION OF TAX ASSIGNMENT #0000514300	YES	

Committee Members *Present/Absent*

Bill Andersen, Chair	p
Hattie Thatcher, Vice-Chair	P
Dan Callahan	P
Eric Mankins	P
John Sorich	P
Tommy Walker	P

