

**MINUTES OF THE REGULAR MEETING OF THE  
BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
FOR MARCH 20, 2013**

The Regular Meeting of the Council of Commissioners was called to order Wednesday, March 20, 2013, 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, *absent*

Commissioner Shaw, *present*

Commissioner Palmer, *present*

Commissioner McDonough, *present*

Commissioner Andersen, *present*

Commissioner Henderson, *present*

Commissioner Walker, *absent*

Commissioner Fisher, *present*

Commissioner Foley, *present*

Commissioner Moodry, *present*

Commissioner Ralph, *absent*

Commissioner Sorich, *present*

**STAFF PRESENT**

Eileen Joyce, Butte-Silver Bow County Attorney  
Colleen Safratowich, Deputy Clerk & Recorder  
Kareniesa Boyer, Council Secretary

**PRAYER**

Commissioner Henderson led the Commissioners in prayer.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF MARCH 6, 2013.**

*It was moved by Commissioner Shaw, seconded by Commissioner Moodry and passed by a unanimous verbal vote to approve the minutes of the Regular meeting of March 6, 2013.*

**ITEMS NOT ADDRESSED ON THE AGENDA**

None.

**CHIEF EXECUTIVE REPORT**

Chief Executive Vincent reported the following:

- ❖ Over 50 applicants have applied for boards/commissions and the Chief Executive will have suggestions by April 3, 2013 Regular Meeting.
- ❖ Take note of the Economic Gardening communication on tonight's agenda. A selection committee has been chosen to develop criteria for the program.

- ❖ Comprehensive Historic Preservation comments are being received.
- ❖ There was confusion regarding the Committee Enrichment Meeting but it has now been fixed.
- ❖ There is a Road Plan Meeting on March 21, 2013.
- ❖ Berkley Pit Meeting was the previous night and there were many in attendance.
- ❖ The budget process is moving forward.

Commissioner Sorich stated he recalled there was someone who used to go to the public schools and give presentations regarding the Berkley Pit.

Chief Executive Vincent stated he thought that was a good idea.

## **SECTION 1 CONSENT AGENDA**

- A.
  1. COMMITTEE OF THE WHOLE MEETING REPORT
  2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
  3. JUDICIARY COMMITTEE MEETING REPORT
  4. PUBLIC WORKS COMMITTEE MEETING REPORT
  5. RULES COMMITTEE 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 segregated Communication Nos. 13-171, 13-172, 13-173, and the Committee of the Whole Report, Section 23, Communication No. 13-156.

Commissioner Foley segregated the Judiciary Committee Meeting Report, Section 1, Ordinance No. 13-3.

Commissioner Foley stated he would like to make a friendly amendment to correct Ordinance No. 13-3, under Section 2. He stated it needed to be on "Final Reading" at this meeting.

*It was then moved by Commissioner Shaw, seconded by Commissioner Moodry and passed with a unanimous verbal vote to approve the Consent Agenda, Section A, Items 1 through 5, excluding 1 and 3, and Section B, Items 1 through 37, excluding 8, 9, and 10 .*

### **Segregation - Communication No. 13-171**

**Greg and Teresa McDonald, Big Sky Youth Training Center, Inc, requesting Council's authorization for a Special Event August 24, 2013.**

Commissioner Shaw stated all signatures required to hold this event have been received.

*It was moved by Commissioner Shaw, seconded by Commissioner Andersen and passed by a unanimous verbal vote to change the recommendation for Communication No. 13-171 to Concur and Place on File.*

**Segregation - Communication No. 13-172**

George Everett, Mainstreet Uptown Butte, requesting Council's authorization to hold the 2013 Montana Folk Festival.

Commissioner Shaw stated all signatures required to hold this even t have been received.

*It was moved by Commissioner Shaw, seconded by Commissioner Andersen and passed by a unanimous verbal vote to change the recommendation for Communication No. 13-172 to Concur and Place on File.*

**Segregation - Communication No. 13-173**

George Everett, Mainstreet Uptown Butte, requesting Council's authorization to hold Farmer's Market each Saturday from May 25, 2013 through October 5, 2013.

Commissioner Shaw stated all signatures required to hold this even t have been received.

*It was moved by Commissioner Shaw, seconded by Commissioner Andersen and passed by a unanimous verbal vote to change the recommendation for Communication No. 13-173 to Concur and Place on File.*

**Segregation - Committee of the Whole Report, Section 23, Communication No. 13-156**

D.J. Wonnacott, Chairman, Montana Pride Celebrations, requesting Council's authorization for the Pride Parade, use of the Original Mine and to have Pride Celebrations Flags put up along Butte's Historic Uptown District and on Harrison Avenue on June 14-16, 2013.

Commissioner Shaw stated all signatures have been received and asked for a motion to concur and place the communication on file. She also stated she would like to point out three items for the record:

- ❖ This is approve for only 2013.
- ❖ Butte-Silver Bow cannot help with garbage and security.
- ❖ Fee can be waived.

**It was moved by Commissioner Shaw, seconded by Commissioner Andersen to change the recommendation for Communication No. 13-156 to Concur and Place on File.**

Commissioner Moodry stated he was concerned about the garbage and security.

Commissioner Shaw stated the original communication was generic but it had been drilled down to the current conditions just stated.

Commissioner Henderson stated there could possibly be 3000 people and isn't there a need for porta-potties.

Commissioner Shaw stated Montana Pride Celebrations would provide their own porta-potties, per Josh Peck.

Commissioner Sorich stated he would feel more comfortable with a letter stating exactly what they are going to do.

*It was moved by Commissioner Moodry, seconded by Commissioner Sorich and passed by a unanimous verbal vote to hold Communication No. 13-156 in the Committee of the Whole and ask Josh Peck to provide Council with an updated application with a staff report.*

### Segregation – Judiciary Committee Meeting Report, Section 1, Ordinance No. 13-3

#### ORDINANCE NO. 13-3

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCES NO. 195, 266, 356, 475, 579, 99-12, 02-3, 03-1, 16-9, AND 10-8 AND TITLE 15 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "BUILDINGS AND CONSTRUCTION", AMENDING CHAPTER 15.18 ENTITLED "ELECTRICAL CODE"; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Commissioner Foley stated he segregated this to change the recommendation from "Move to Second Reading" to "Move to Final Reading".

*It was moved by Commissioner Foley, seconded by Commissioner Moodry and passed by a unanimous verbal vote to change the recommendation on Ordinance No. 13-3 to "Move to Final Reading".*

#### SECTION 2 ORDINANCES SECOND READING

##### 1. COUNCIL BILL NO. 13-3 ORDINANCE NO. 13-3

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCES NO. 195, 266, 356, 475, 579, 99-12, 02-3, 03-1, 16-9, AND 10-8 AND TITLE 15 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "BUILDINGS AND CONSTRUCTION", AMENDING CHAPTER 15.18 ENTITLED "ELECTRICAL CODE"; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*It was moved by Commissioner Shaw and seconded by Commissioner Andersen that Council Bill No. 13-3, Ordinance No. 13-3 be placed on final reading and be passed, having been deemed read at length. The motion carried by a roll call vote of 9 yea and 0 nay.*

**SECTION 3 ORDINANCES AND RESOLUTIONS  
FINAL READING**

**1. RESOLUTION NO. 13-6**

A RESOLUTION AUTHORIZING AND APPROVING THE DONATION BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, ("City-County") STATE OF MONTANA TO THE EAST RIDGE FOUNDATION THE REAL PROPERTIES HEREIN DESCRIBED ON EXHIBIT "A" TO THIS RESOLUTION FOR THE PUBLIC BENEFIT AND IN THE PUBLIC INTEREST AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

*It was moved by Commissioner Shaw and seconded by Commissioner Morgan that Council Resolution No. 13-6 be placed on final reading and be passed, having been deemed read at length. The motion carried by a roll call vote of 9 yea and 0 nay.*

**PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA**

None.

**ADJOURN**

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

The meeting adjourned at 7:59 p.m.

---

**MATT VINCENT  
CHIEF EXECUTIVE**

**ATTEST:**

---

**CLERK & RECORDER**