ROLL CALL 10 Present 2 Absent- Fisher and Andersen

PRAYER AND PLEDGE-John Sorich

APPROVAL OF THE MINUTES
March 3, 2021 Regular Meeting Minutes
Cindi Shaw makes a motion to approve the minutes, Shawn Fredrickson seconds the motion. 10 yea 0 nay

ITEMS NOT ADDRESSED ON THE AGENDA
Cindi Shaw: The Council hereby finds that an emergency condition exists which requires that the Council Rules be suspended to allow communication no. 2021-141 to be added to the agenda of the Regular meeting of the Council. Shawn Fredrickson seconds the motion. 10 yea 0 nay

CHIEF EXECUTIVE’S REPORT
J.P. Gallagher: Pleased to report that the numbers for the past two weeks and will be opening up to 75% capacity. If we have good numbers by the third week we will open up to full capacity with the Mask Mandate still in effect. Very proud of everyone who has stepped up to the plate and made this happen. We are busy and we will put together a team so that we can move forward with great projects.

PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA

CALL INS ARE WELCOME @ 497-5009

WRITTEN COMMENTS WELCOME:
public-input@bsb.mt.gov

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

1.COMMUNICATION NO. 2021-112
Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for March 16, 2021 for a Backhoe for the Water Utility Division.
Titan Machinery, Missoula MT $83,193.23
Titan Machinery, Missoula MT $91,338.88
Western States, Missoula MT $78,605.00
RBO Equipment, Bozeman MT $69,500.00
Sorich: What was the spec for it.
Neary: 2021 17,000 Backhoe.
Cindi Shaw makes a motion to refer all four bids back to the public works and come back with a recommendation. Shawn Fredrickson seconds the motion. 10 yea 0 nay
SECTION 2: CONSENT AGENDA
Cindi Shaw segregates communication 2021-131
Cindi Shaw moves to approve the Consent Agenda except for 2021-131. Shawn Fredrickson seconds the motion. 10 yea 0 nay

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. 2021-121
   J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence of my appointment of Kim Kohn, 2835 Nettie Street, Butte MT 59701 to the World Museum of Mining Board.
   Concur and Place on File

2. COMMUNICATION NO. 2021-122
   J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence of my re-appointments of Linda E. Palagi, 2925 Nettie Street and Sharon Cebul, 2630 Harvard Street, Butte MT 59701 to the Friends of the Urban Forest Board.
   Concur and Place on File

3. COMMUNICATION NO. 2021-123
   Ed Bandero, GNCDC Inc President requesting Council of Commissioners concurrence and authorization for the Chief Executive to issue a Proclamation proclaiming March 21, 2021 to be "Butte-Silver Bow Racial Harmony Day".
   Refer to Chief Executive Office and Place on File

4. COMMUNICATION NO. 2021-124
   Mary McCormick, Historic Preservation Officer requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the grant application to the Montana State Historic Preservation Office for funds from its Certified Local Government (CLG) Program for the period beginning April 1, 2021 and ending March 31, 2022.
   2021-124 Grant Application
   Concur and Place on File

5. COMMUNICATION NO. 2021-125
   Michael and Kelly Anne Hovan, 241 Williams Street, Walkerville MT requesting Council of Commissioners concurrence to purchase a 10-acre parcel of vacant land owned by Butte-Silver Bow. We would like to survey and purchase the portion that includes our driveway and the adjacent property formerly owned by the Wyatts.
   2021-125 Maps and Legal Description
   Refer to Land Sales Committee
6. COMMUNICATION NO. 2021-126
Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorization to schedule a bid opening for on April 7, 2021 for the Port of Montana/Montana Connections Rail Expansion project.
Hold in Abeyance

7. COMMUNICATION NO. 2021-127
Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorization to schedule a bid opening for on April 7, 2021 for the Sugarloaf Loop construction project in Montana Connections.
Hold in Abeyance

8. COMMUNICATION NO. 2021-128
Bob Lazzari, Parks and Recreation Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the user Agreement between Skyhawks Sports Academy and Butte-Silver Bow. Skyhawks Sports Academy will staff and operate sports camps in Stoddon Park during the 2021 summer season.
2021-128 Agreement
Concur and Place on File

9. COMMUNICATION NO. 2021-129
J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence of my re-appointment of Cathy Talty, 27 East Galena, Butte MT 59701 to the Park and Recreation Board.
Concur and Place on File

10. COMMUNICATION NO. 2021-130
J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence of my re-appointments of Leo McCarthy, 13 Holly Lane and Chris Andersen, 8 Victoria Lane, Butte MT 59701 to the Mosquito Control District.
Concur and Place on File

11. COMMUNICATION NO. 2021-131
Ed Lester, Butte-Silver Bow Sheriff requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the Memorandum of Understanding (MOU) between Butte-Silver Bow and the Southwest Montana Drug Task Force.
2021-131 MOU
Concur and Place on File
Cindi Shaw segregated because Ed Lester needed to get the MOU finalized with some adjustments that were needed. Makes a motion to move 2021-131 to the Committee of the Whole. Shawn Fredrickson seconds the motion. 10 yea 0 nay

12. COMMUNICATION NO. 2021-132
James M. Manning, Greenway Management Chairperson requesting Council of Commissioners concurrence and authorization for the Butte-Silver Bow Local Government to accept the transfer of real property, Tract A of Certificate of Survey 1079A-RB for the Silver Bow Creek Greenway project and preparation of a Resolution of Transfer Acceptance.
2021-132 Deed
Concur to accept the transfer of property and hold in the COW pending Resolution.

City and County of Butte-Silver Bow
13._Communication No. 2021-133
Gary Shea, Broker/Owner Shea Realty requesting Council of Commissioners concurrence and authorization for a 1-year extension of the Conditional Approval of the Amended Plat - Buffalo Estates Temporary Open Space Phase I. 
2021-133 Letters and Map
Refer to Planning Department.

14._Communication No. 2021-134
Mark Neary, Public Works Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the agreement between Butte-Silver Bow and Hoffman's R&M for the TSEP Dig and Replace Sewer Lines Project.
2021-134 Agreement
Concur and Place on File

15._Communication No. 2021-135
Mark Neary, Public Works Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the Change Order #1 for the 2020 Road Chip Sealing Project.
2021-135 Change Order
Concur and Place on File

16._Communication No. 2021-136
Mark Neary, Public Works Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign Amendment #1 for the Tap'er Lite Cleaning contract. We are adding the Metro Shower Trailer to this cleaning contract in the amount of $200.00 per month.
2021-136 Amendment
Concur and Place on File

17._Communication No. 2021-137
Mark Neary, Public Works Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign Change Order #1 between Butte-Silver Bow and H&H Contracting for the construction of the I-15 crossing Jack and Bore for the Big Hole Transmission Line Project.
2021-137 Change Order
Concur and Place on File

18._Communication No. 2021-138
Mark Neary, Public Works Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign the agreement between Butte-Silver Bow and Northwestern Energy for the construction of a gas line to the new shops.
2021-138 Agreement
Concur and Place on File

19._Communication No. 2021-139
Dylan Pipinich, Assistant Planning Director requesting Council of Commissioners authorization for
the Planning Department to submit a Resolution to adopt the final plat of the Montana Connections
Subdivision.
2021-139 Staff Analysis
Concur and Place on File

20.COMMUNICATION NO. 2021-140
Dylan Pipinich, Assistant Planning Director requesting Council of Commissioners concurrence and
authorization for the Chief Executive to sign Markovich Construction Change Orders #8 and #9 for
the County Shops Relocation Project.
2021-140 Change Orders
Concur and Place on File

Suspension of the Rules:
Mike Clague: the MOU has a deadline that needs to be met and re-signed, and asked that the
Council approve the Suspension of the Rules.
Cindi Shaw makes a motion to concur and place on file, Shawn Fredrickson seconds the motion.
10 yea 0 nay

SECTION 3: COMMUNICATIONS TO BE READ AND ACTED UPON

1.COMMUNICATION NO. 2021-120
J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence of my
appointment of Mr. Zach Osborne, 8 Cedar Lake Drive, Butte MT 59701 as Assistant Chief/Fire
Marshal.
J.P. Gallagher: Is pleased to have Zach as assistant Chief/ Fire Marshal. He has great leadership
skills and is very proud of his accomplishments.
Brian Doherty: Zach will bring integrity and respect to the position as our next Assistant Fire
Marshal, he will bring a lot of energy and is highly qualified and is deeply respected.
Zack Osborne: Thanks everyone for the new chapter working with Brian Doherty. I will miss my
companions that I have worked with the past 13 years. Thank you to his family and Brian Doherty for
a great opportunity.
Shea: We still need to vote for one, but I helped facilitate the fire fighter testing for years and we
have a great Fire Department.
Sorich: Makes a motion concur and place on file 2021-120. Cindi Shaw seconds the motion.
10 yea 0 nay.

SECTION 4: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1.COUNCIL BILL NO. 2021-02
ORDINANCE NO. 2021-02
AN ORDINANCE AMENDING CHAPTER 2.16 OF THE BUTTE-SILVER BOW MUNICIPAL
CODE ENTITLED “FIRE DEPARTMENT”, SPECIFICALLY AMENDING SECTIONS
2.16.030, 2.16.060, 2.16.320, 2.16.321, 2.16.327, 2.16.360, 2.16.380, 2.16.390, 2.16.391, 2.16.420
AND DELETING SECTION 2.16.395 AND PROVIDING FOR AN EFFECTIVE DATE
HEREIN.
ORDINANCE NO. 2021-02 REDLINE

City and County of Butte-Silver Bow
2. COUNCIL BILL NO. 2021-03  
ORDINANCE NO. 2021-03  
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 APPROXIMATELY 18.5 ACRES FROM R1-S ONE-FAMILY SUBURBAN RESIDENCE) TO C-2 (COMMUNITY COMMERCIAL), COMMONLY LOCATED EAST OF HARRISON AVENUE AND NORTH OF FIVE MILE ROAD; LOCATED IN THE MCQUEEN SUBDIVISION, SECTION 5, TOWNSHIP 2 NORTH, RANGE 7 WEST, OF THE P.M.M. OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION 5: ORDINANCES AND RESOLUTIONS FOR FINAL READING  
Cindi Shaw moves to place 2021-01 on final reading being deemed fully read at length. Shawn Fredrickson seconds the motion. 10 yea 0 nay  
1. COUNCIL BILL NO. 2021-01  
ORDINANCE NO. 2021-01  
AN ORDINANCE AMENDING CHAPTER 2.56 OF THE BUTTE-SILVER BOW MUNICIPAL CODE ENTITLED “PUBLIC ARCHIVES”, SPECIFICALLY AMENDING SECTIONS 2.56.010, 2.56.100, 2.56.110, 2.56.130 AND 2.56.160 AND ADDING SECTION 2.56.080 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.  
ORDINANCE NO. 2021-REDLINE

SECTION 6: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULES FINAL PASSAGE  
Cindi Shaw moves the suspension of the rules of 2021-10 and 2021-11 having them for advanced passage without reference to the Judiciary committee, Shawn Fredrickson seconds the motion. 10 yea 0 nay  
1. RESOLUTION NO. 2021-10  
A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL LAND ACCESS PROGRAM (FLAP) FUNDING WITH THE FEDERAL HIGHWAY ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, TO FINANCE IMPROVEMENTS FOR MOULTON ROAD IMPROVEMENTS.  
Cindi Shaw makes a motion to place 2021-10 on final reading having been fully read at length. Shawn Fredrickson seconds the motion. 10 yea 0 nay  
2. RESOLUTION NO. 2021-11  
A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FEDERAL LAND ACCESS PROGRAM (FLAP) FUNDING WITH THE FEDERAL HIGHWAY ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, TO FINANCE IMPROVEMENTS FOR ROOSEVELT DRIVE IMPROVEMENTS.  
Cindi Shaw makes a motion to place 2021-11 on final reading having been fully read at length. Shawn Fredrickson seconds the motion. 10 yea 0 nay
PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA
PLEASE CALL IN AT 497-5009
See attached letter

CALCENDAR OF OTHER MEETINGS AND EVENTS
DUE TO COVID-19 PANDEMIC, COMMITTEE MEETINGS WILL BE BY WEB-EX.

March 16, 2021, Urban Forestry Board, 1:00 pm, Business Development Center
March 16, 2021, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
March 16, 2021, Public Housing Authority, 5:00 pm, New Deal Community Center
March 18, 2021, Zoning Board, 5:30 pm, Council Chambers
March 21, 2019, Animal Services, 5:30 pm, 1st Floor Conference Room
March 22, 2021, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.
March 23, 2021, Port of Montana, 12:00 pm, Hub Center, Silver Bow
March 23, 2021, Urban Revitalization, 8:30 am, 1st Floor Conference Room
March 24, 2021, South Butte TEDD, 3:30 pm, 1st Floor Conference Room
March 24, 2021, Local Emergency Planning, 12:00 pm, Butte Justice Center
March 25, 2021, Planning Board, 5:30 pm, Council Chambers
March 25, 2020, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center, 3615 Wynne
April 1, 2021, Civic Center, 12:00 pm, Civic Center Hospitality Room
April 1, 2021, East Butte RRA, 9:00 am, 1st Floor Conference Room, ad hoc basis
March 6, 2021, Fire Advisory Committee, 5:30 pm, Butte 1st Floor Conference Room
March 6, 2021, Historic Preservation Commission, 5:30 pm, Council Chambers
March 6, 2021, Weed Board, 7:00 pm, Weed Office, 25 West Front

Gallagher: Meeting adjourned.

ADJOURN

MEETINGS
ALL MEETINGS CAN BE VIEWED BY WEB-EX STARTING AT DESIGNATED TIMES,
LISTED BY EACH MEETING. CALL INS ARE WELCOME @ 497-5009.

FINANCE & BUDGET COMMITTEE MEETING
MARCH 16, 2021
7:00 PM VIA WEB-EX

Expenditure report for the week of March 16, 2021 was reviewed and approved in the amount of $____________________ 2021.
We are still meeting remotely but will be taking Public Comment by calling 497-5009

REPORTS

City and County of Butte-Silver Bow
COMMITTEE OF THE WHOLE REPORT
MARCH 10, 2021
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

PRESENTATIONS
1. COMMUNICATION NO. 2021-103
Danette Gleason, Finance and Budget Director requesting Council of Commissioners concurrence and authorization to schedule a Presentation on March 10, 2021 to present the Fiscal Year 2020 Audit Findings and Financial Report.
Held

BID OPENINGS

1. COMMUNICATION NO. 2021-106
Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for March 10, 2021 for the CIPP Project for Sewer Lines in Uptown Butte.
Held

SECTION 2. COMMUNICATIONS

1. COMMUNICATION NO. 19-582
Ed Banderob, Greeley Neighborhood Community Development Corporation requesting Council of Commissioners to invite a Montana DPHHS' Toxicologist to give a Presentation relative to the Hazards/Risks to human health of heavy metals contaminates present in the Butte-Silver Bow Community.
Move to Suspense File for 90 days

2. COMMUNICATION NO. 2021-97
Eldon Beall, 315 S. Dakota Street Butte Mt requesting Council of Commissioners, the Judiciary Committee and Bill Andersen to enact a task force or Committee to stop the public drunkenness and to prohibit Action Inc, from feeding the homeless in Emma Park.
Note and Place on file

3. COMMUNICATION NO. 2021-103
Danette Gleason, Finance and Budget Director requesting Council of Commissioners concurrence and authorization to schedule a Presentation on March 10, 2021 to present the Fiscal Year 2020
Concur and Place on File

4. COMMUNICATION NO. 2021-106
Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for March 10, 2021 for the CIPP Project for Sewer Lines in Uptown Butte.
Concur and Place on File

5. COMMUNICATION NO. 2021-107
Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for March 24, 2021 for the 2021 Roads Mill/Fill Project. This project will Mill/Fill street in Uptown Butte including West Platinum, Colorado, and Dakota Streets.
Hold in Abeyance.

6. COMMUNICATION NO. 2021-112
Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for March 16, 2021 for a Backhoe for the Water Utility Division.
Hold in Abeyance.

7. COMMUNICATION NO. 2021-114
Eric Hassler, Reclamation & Environmental Services Director requesting Council of Commissioners authorization to schedule a Public Hearing on March 24, 2021 to take public comment on amending the Fiscal Year 2021 ARCO Source Area and Stormwater budget (2278.200.4306.35). The source of revenue is from the Allocation Agreement Source Area Programs Trust between BSB and Atlantic Richfield.
Hold in Abeyance.

8. COMMUNICATION NO. 2021-115
Jennifer Mitchell, 2509 State Street Butte MT requesting Council of Commissioners concurrence to appeal the February 8, 2021 decisions by HPO and HPC on the Determination of Eligibility and Demolition COA for 2505 State Street, Butte MT.
Concur and Place on File

FINANCE & BUDGET COMMITTEE MEETING REPORT
MARCH 10, 2021
TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COMMISSIONERS

Ladies and Gentlemen,
We, your Council of Commissioners, and Madame Chairman Cindi Shaw, respectfully recommends as follows: Expenditure report for the week of March 10, 2021 was reviewed and approved in the amount of $544,786.12 for 2021.

FINANCE AND BUDGET COMMITTEE MEMBERS PRESENT/ ABSENT
John Sorich, Chair P
Josh O’Neill, Vice Chair P
Hattie Thatcher P

City and County of Butte-Silver Bow
PUBLIC WORKS COMMITTEE MEETING REPORT
MARCH 10, 2021
6:30 PM
TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COMMISSIONERS
This meeting was not held this week.

JUDICIARY COMMITTEE MEETING REPORT
MARCH 10, 2021,
7:00 PM
TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COMMISSIONERS

1. COUNCIL BILL NO. 2021-01
ORDINANCE NO. 2021-01
AN ORDINANCE AMENDING CHAPTER 2.56 OF THE BUTTE-SILVER BOW MUNICIPAL CODE ENTITLED “PUBLIC ARCHIVES”, SPECIFICALLY AMENDING SECTIONS 2.56.010, 2.56.100, 2.56.110, 2.56.130 AND 2.56.160 AND ADDING SECTION 2.56.080 AND PROVIDING FOR AN EFFECTIVE DATE HEREAFTER.
ORDINANCE NO. 2021-REDLINE
Move to Final Reading

JUDICIARY COMMITTEE MEMBERS PRESENT/ABSENT

Bill Andersen, Chairman P
Michele Shea, Vice Chairman A
Dan Callahan P
Hattie Thatcher P
Eric Mankins P
John Sorich P
with all the increased traffic on texas and grand ave, something needs to be done to improve safety. with the closure of the civic center road for the next two years, and the increased traffic, i feel we need to make drivers more aware of the four way stop. i live on the corner of grand and texas and i see drivers who do not stop at all, or the roll through the stop signs. we are right next to clarks park, and its a hazard for people trying to use the cross walks. i would like to see small solar panels with lights around the edges of the stop signs put up to help alert and slow drivers down. we have all the traffic from east junior high in the mornings and afternoons, and now all the increased traffic from the detour. flashing lights are anything else that could be installed, would help to lessen the chance of accidents, please take this into consideration, and i would like a response back. thank you fred and melissa hill 1901 grand ave butte mt fred.hill63@yahoo.com
CITY-COUNTY

__________________________

J.P. GALLAGHER
CHIEF EXECUTIVE

ATTEST:

__________________________