

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, JANUARY 02, 2019
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES

Meeting Minutes December 19, 2018

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

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

SECTION 1 PUBLIC HEARING

COMMUNICATION NO. 18-569

Dylan Pipinich, Senior Planner requesting Council of Commissioners allow time on the January 2, 2019 Regular Meeting agenda for a Public Hearing pertaining to a change to the Butte Silver Bow Zoning District Map.

[18-569.pdf](#)

[18-569 Staff Analysis.pdf](#)

SECTION 2 CONSENT AGENDA

A. COMMITTEE REPORTS

- 1. COMMITTEE OF THE WHOLE MEETING REPORT*
- 2. FINANCE & BUDGET COMMITTEE MEETING REPORT*
- 3. JUDICIARY COMMITTEE MEETING REPORT*

B. COMMUNICATIONS

1. COMMUNICATION NO. 19-01

Mark Mariano, citizen requesting Council of Commissioners consider the level of traffic that the new park in the Diggins East will bring to the area between Oregon and Phillips, on George Street and come up with a solution to re-route or slow down traffic in that same area.

Refer to Public Works Committee

[19-01.pdf](#)

2. COMMUNICATION 19-02

Jennifer Heglund, citizen requesting Council of Commissioners authorize the Chief Executive for permission to host several Butte Community Fitness Foundation events at Forman's Park on Saturday, January 19, 2019 from 11-5 PM.

Concur and place on file.

[19-02.pdf](#)

[19-02 Application.pdf](#)

[19-02 Approvals.pdf](#)

[19-02 Checklist.pdf](#)

3. COMMUNICATION 19-03

Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign the Lease Agreement and enter into a contract between Butte Silver Bow Road Division and Spangler Ranch LLC, for the purpose of extracting gravel from the Spangler Ranch.

Concur and place on file.

[19-03.pdf](#)

[19-03 Lease Agreement.pdf](#)

4. COMMUNICATION NO. 19-04

John Morgan, Chairman requesting Council of Commissioners concur with recommendations for Standing Committees for 2018-2019.

Concur and place on file.

[19-04.pdf](#)

5. COMMUNICATION NO. 19-05

Lori Casey, Planning Director requesting Council of Commissioners approve the preliminary plat of the Amended Plat-Blocks 16, 25 &26 of the Gilman Addition, Legion Oasis Minor Subdivision and to authorize the Planning Department to submit a resolution for adoption of the preliminary plat.

Concur and place on file.

[19-05.pdf](#)

[19-05 Staff Analysis.pdf](#)

[19-05 Map.pdf](#)

6. COMMUNICATION NO. 19-06

Abigail St. Lawrence, Attorney at Law requesting Council of Commissioners approve a three-year extension on the preliminary plat for Copper Fox Estates to allow conditions to be met.

Refer to Planning Department.

[19-06.pdf](#)

7. COMMUNICATION NO. 19-08

Chief Executive Palmer requesting Council of Commissioners concur with the appointment

to the Greenway Service District.

Concur and place on file.

[19-08.pdf](#)

8. COMMUNICATION NO. 19-09

Dan Olsen, Commissioner District #5 requesting Council of Commissioners consider replacement of the newly installed speed limit signage for Basin Creek Road/MT Secondary 393 for a section of the road for a more reasonable speed limit.

Refer to Public Works Committee

[19-09.pdf](#)

10. COMMUNICATION NO. 19-10

Mark Neary, Public Works Director requesting Council of Commissioners authorize the Chief Executive to sign DNRC Contract No. RRG-17-1664, Amendment No. 1, which extends the term of the contract to December 31, 2019.

Concur and place on file.

[19-10.pdf](#)

[19-10 Contract Amend. #1.pdf](#)

SECTION 3 COMMUNICATIONS TO BE READ AND ACTED UPON

1. COMMUNICATION NO. 19-07

Chief Executive Palmer requesting Council of Commissioners concur with the promotion of Zach W. Osborne to Captain in the Butte Silver-Bow Fire Department.

[19-07.pdf](#)

SECTION 4 ORDINANCES AND RESOLUTIONS REFERRED TO JUDICIARY

COUNCIL ORDINANCE 19-01

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SOLID WASTE MANAGEMENT FACILITY", SPECIFICALLY AMENDING SECTIONS 13.12.020, 13.12.040, AND 13.12.070 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Council Ordinance 19-01.pdf](#)

[Council Ordinance 19-01 REDLINE.pdf](#)

COUNCIL ORDINANCE 19-02

AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE BUTTE-SILVER BOW MUNICIPAL CODE (BSB-MC) TO BE NUMBERED 8.10 AND TO BE ENTITLED "COVERED LOADS", ESTABLISHING PROCEDURES AND PROVISIONS FOR ENFORCEMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[Council Ordinance 19-02.pdf](#)

SECTION 5 ORDINANCES AND RESOLUTIONS FINAL READING

COUNCIL RESOLUTION 18-61



A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION WITH THE DEPARTMENT OF COMMERCE OF THE STATE OF MONTANA FOR BIG SKY ECONOMIC DEVELOPMENT TRUST FUND PROGRAM UNDER THE TERMS OF THE COMMUNITY DEVELOPMENT ACT OF 1974 (42 USC 5301) AS AMENDED.
[Council Resolution 18-61.pdf](#)

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

January 3, 2018, Civic Center, 12:00 pm, Civic Center Hospitality Room
January 3, 2018, East Butte RRA, 9:00 am, 1st Floor Conference Room
January 8, 2018, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
January 8, 2018, Historic Preservation Commission, 5:30 pm, Council Chambers
January 9, 2018, Land Sales Committee, 1:30 pm, First Floor Conference Room
January 9, 2018, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
January 9, 2018, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
January 10, 2018, Greenway Service District Board, 4:30 pm, Butte 1st Floor Conference Room
January 11, 2018, TIFID, 12:00 pm, Business Development Center
January 14, 2018, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
January 14, 2018, Archives, 12:00 pm, Archives Center
January 15, 2018, Public Housing Authority, 5:00 pm, New Deal Community Center
January 15, 2018, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
January 15, 2018, Urban Forestry Board, 1:00 pm, Business Development Center
January 16, 2018, Parking Commission, 3:00 pm, Chief Executive Conference Room
Animal Services: TBD

ADJOURN

ECONOMIC DEVELOPMENT COMMITTEE MEETING

January 2, 2018
6:30 PM COURTHOUSE COUNCIL CHAMBERS

1. BLDC REPORT

FINANCE & BUDGET COMMITTEE MEETING

January 2, 2018
7:00 PM COURTHOUSE COUNCIL CHAMBERS

Expenditure report for the week of January 2, 2019 was reviewed for the amount of
\$ _____.

COMMITTEE OF THE WHOLE MEETING REPORT

December 26, 2018

*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. 18-555

Mark Neary Public Works Director requesting Council of Commissioners allow time on the December 26, 2018 Regular Meeting Agenda for a bid opening related to the Road Division-Force Feed Loader.

Refer to Public Works Department and place on file.

[18-555.pdf](#)

COMMUNICATIONS

SECTION 1. COMMUNICATION NO. 18-546

Ed Lester, Sheriff Butte-Silver Bow requesting Council of Commissioners allow time on the agenda for a Public Hearing on December 19, 2018 to amend the Fiscal Year 2018-2019 Budget for Unanticipated Revenue from the Non-Federal Drug Forfeiture Agency Fund.

Place on file.

[18-546.pdf](#)

SECTION 2. COMMUNICATION NO. 18-559

Bud Walker, Commissioner District No. 7 requesting Council of Commissioners consider creating an ordinance to address the ongoing issue of portable storage containers that are being used for extended periods of time in the public right away.

Refer to Judiciary.

[18-559.pdf](#)

COMMUNICATION NO. 18-569

Dylan Pipinich, Senior Planner requesting Council of Commissioners allow time on the January 2, 2019 Regular Meeting agenda for a Public Hearing pertaining to a change to the Butte Silver Bow Zoning District Map.

Hold in abeyance.

[18-569.pdf](#)

[18-569 Staff Analysis.pdf](#)

SECTION 3. COMMUNICATION NO. 18-570



Patsy Coates, Land Records Property Specialist requesting Council of Commissioners authorize Tax Deed Sale Public Auction on February 20, 2019 and authorize County Attorney to prepare a Resolution to be read and acted upon at the Regular Meeting of Council that same evening.

Hold in abeyance.

[18-570.pdf](#)

FINANCE & BUDGET COMMITTEE MEETING REPORT

December 26, 2018

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 December 26, 2018 was reviewed for the amount of \$573,484.04

Approved

SECTION 1. COMMUNICATION NO. 18-548

Doug Conway, Captain Butte Silver Bow Law Enforcement requesting Council of Commissioners approve the Chief Executive to sign the contractual agreement with the Butte-Silver Bow Housing Authority for the personnel costs of a police officer at that location not to exceed \$78,500.

Pass as amended (see attachment 18-548 Amended Version)

[18-548.pdf](#)

[18-548 Agreement.pdf](#)

[18-548 Amended Version.pdf](#)

FINANCE & BUDGET COMMITTEE MEMBERS:

Dan Foley, Chair, Present

Bill Andersen, Vice Chair, Present

Dan Callahan, Present

Jim Fisher, Absent

Michele Shea, Present

John Sorich, Present

JUDICIARY COMMITTEE MEETING REPORT

December 26, 2018



*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:

COUNCIL RESOLUTION 18-61

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION WITH
THE DEPARTMENT OF COMMERCE OF THE STATE OF MONTANA FOR BIG SKY
ECONOMIC DEVELOPMENT TRUST FUND PROGRAM UNDER THE TERMS OF
THE COMMUNITY DEVELOPMENT ACT OF 1974 (42 USC 5301) AS AMENDED.

Move to Final Reading

[Council Resolution 18-61.pdf](#)

JUDICIARY COMMITTEE MEMBERS:

Brendan McDonough, Chair, Present

John Sorich, Vice-Chair, Present

Dan Callahan, Present

Bud Walker, Present

Shawn Fredrickson, Present

Michele Shea, Present

