

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
REGULAR MEETING AGENDA  
WEDNESDAY, JANUARY 4, 2023  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

**PRAYER AND PLEDGE**

**APPROVAL OF THE MINUTES**

[December 21, 2022 Regular Meeting](#)

**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 OPENINGS**

1.COMMUNICATION NO. [2022-582](#)

Jim Keenan, Water Treatment Chief Operator requesting Council of Commissioners concurrence to allow a bid opening on January 4, 2023 for supplying chemicals to be used by the BSB Water and Wastewater Treatment Plants and Ridge Waters Water Park.

2.COMMUNICATION NO. [2022-586](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence to schedule a bid opening for January 4, 2023 for a tracked skid steer for the Roads Division.

3.COMMUNICATION NO. [2023-01](#)

Angie Mullikin, Public Works Budget & Grant Manager requesting Council of Commissioners concurrence to schedule a bid opening for January 4, 2023, for a HDPE spillway pipe and fittings for the Moulton Dam Spillway and Embankment Improvement Project.

**PRESENTATIONS**

1.COMMUNICATION NO. [2022-581](#)

John Riordan, Commissioner District 8, and Citizens United Against Urban Decay in Butte Silver Bow requesting Council of Commissioners concurrence to allow a presentation on December 21, 2022, Council meeting to discuss current urban decay issues, many requiring immediate attention. Commissioner Riordan and this group respectfully ask the Chief Executive to form a special Coalition to include Commissioners, Butte citizens and BSB Dept. heads to begin a joint effort to address these urgent issues.

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## 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. [2023-02](#)

Bill Melvin, Butte Civic Center Manager requesting Council of Commissioners authorization to have the Chief Executive sign the lease agreement with General Distribution for the lease of the CO2 tanks that are used in the Civic Center Concessions and Athletic Training Room.

[2023-02 Lease Agreement](#)

*Concur and Place on File*

#### 2. COMMUNICATION NO. [2023-03](#)

Mary McCormick, Mai Wah Society Vice Chair requesting Council of Commissioners concurrence to conduct its Chinese New Year Parade through the uptown area led by Montana's parade dragon on Saturday January 28, 2023.

*Concur and Place on File*

#### 3. COMMUNICATION NO. [2023-04](#)

Jennifer Heglund and Brett Ueland, BCFF inc. Co-Presidents requesting Council of Commissioners concurrence and support to host several of our events for the Snoflinga at The Original Mine Yard, Stodden Park, and local trail systems during the festival from January 20-22nd.

*Concur and Place on File*

#### 4. COMMUNICATION NO. [2023-05](#)

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

[2023-05 MOU](#)

*Concur and Place on File*

#### 5. COMMUNICATION NO. [2023-06](#)

Trevor Peterson, Parks & Rec Arborist requesting Council of Commissioners authorization to have the Chief Executive sign the Butte-Silver Bow Parks and Recreation Department's Arbor Day Foundation 2023 Tree City USA Application.

[2023-06 Application](#)

*Concur and Place on File*



6.COMMUNICATION NO. [2023-07](#)

Trevor Peterson, Parks & Rec Arborist requesting Council of Commissioners authorization to have the Chief Executive sign the Arbor Day Grant application and Contingent agreement as the money will be used to purchase 5-10 new trees that will be planted at Chester Steele Park. BSB Parks & Rec also requests your authorization to pursue a Montana DNRC, Forestry Division, 2023 Arbor Day Grant.

[2023-07 Grant Application](#)

*Concur and Place on File*

7.COMMUNICATION NO. [2023-08](#)

Beth Wurm, Human Resources Director requesting Council of Commissioners authorization to have the Chief Executive sign the Collective Bargaining agreement between the City-County of Butte-Silver Bow and the Silver House Stationary Engineers, Local Union No. 400 of the International Union of Operating Engineers, AFL-CIO (Painters).

[2023-08 Agreement](#)

*Concur and Place on File*

8.COMMUNICATION NO. [2023-09](#)

Beth Wurm, Human Resources Director requesting Council of Commissioners authorization to have the Chief Executive sign the Collective Bargaining agreement between the City-County of Butte-Silver Bow and the Silver Bow Stationary Engineers, Local Union No. 400 of The International Union of Operating Engineers, AFL-CIO (Painters).

[2023-09 MOU](#)

*Concur and Place on File*

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

Kyle West, Public Works Engineering Technician requesting Council of Commissioners authorization to have the Chief Executive sign the Storm Water Management/BMP Maintenance agreement for the Polishing Plant.

[2023-10 Agreement](#)

*Concur and Place on File*

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

Beth Wurm, Human Resource Director requesting Council of Commissioners authorization to have the Chief Executive sign the attached Occupational Medicine Services Agreement between the City-County of Butte-Silver Bow and SCL Health Medical Group, to have SCL provide Biometric Screenings for Butte-Silver Bow employees in January 2023.

[2023-11 Agreement](#)

*Concur and Place on File*

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

Karen Byrnes, Community Development Director requesting Council of Commissioners concurrence to hold a Public Hearing on January 11, 2023 to consider comments related to services to be performed by SMA Architecture for the Courthouse Restroom Renovation Project.

*Hold in Abeyance*



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

Karen Byrnes, Community Development Director requesting Council of Commissioners authorization to have the Chief Executive sign an agreement with SCJ Alliance to provide services related to the update and development of a Housing Plan for Butte-Silver Bow.

[2023-13 Agreement](#)

*Concur and Place on File*

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

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence for the appointment of Marc McGree 101 East Park Street Butte MT to the Building Board of Appeals.

*Concur and Place on File*

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

Mark Neary, Public Works Director requesting Council of Commissioner's concurrence to schedule a bid opening for January 18, 2023 for a mini excavator for the Metro Maintenance Division.

*Hold in Abeyance*

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

Shawn Fredrickson, Commissioner for District No.1 requesting Council of Commissioners concurrence and authorization to approve the recommendation for Chair, Vice-Chair and Standing Committees for 2023-2024.

*Concur and Place on File*

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

Mark Neary, Public Works Director requesting Council of Commissioners authorization to have the Chief Executive sign a Diamond Construction Work Change Directive and Change Order #1 agreements for the Rocker sewer connection to Metro.

[2023-17 Work Change Directive](#)

[2023-17 Change Order #1](#)

*Concur and Place on File*

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

Jim Keenan, Water Treatment Chief Operator requesting Council of Commissioners concurrence to schedule a bid opening for January 18, 2023 for supplying inline self-cleaning filters in the TIFID Pump Station to strain out debris from Silver Lake Water System water that serves the area.

*Hold in Abeyance*

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

Sean Peterson, BSB Deputy County Attorney requesting Council of Commissioners authorization to have the Chief Executive sign the easement allowing property owners Koester, Madison, and Leipheimer to access property using a road over property owned by Butte-Silver Bow.

[2023-19 Easement](#)

*Concur and Place on File*



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

Karen Maloughney, BSB Health Officer requesting Council of Commissioners concurrence to hold a Public Hearing on January 18, 2023 for the purpose of amending the fiscal year 2022-2023 budget to allow for increased expenditures of unanticipated revenue resulting from an amendment to Hepatitis C Prevention within the syringe services/harm reduction programs.

*Hold in Abeyance*

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

Karen Maloughney, BSB Health Officer requesting Council of Commissioners concurrence to hold a Public Hearing on January 18, 2023 for the purpose of amending the fiscal year 2022-2023 budget to allow for increased expenditures of unanticipated revenue resulting from a mini-grant agreement with Department of Public Health and Human Services.

*Hold in Abeyance*

**SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY**

1.RESOLUTION NO. [2023-01](#)

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 THE MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO BE USED WITHIN THE HEALTH DEPARTMENT IMMUNIZATION PROGRAM FOR MONKEY POX AND COVID VACCINE EFFORTS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**CALENDAR OF OTHER MEETINGS AND EVENTS**

January 4, 2023, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office

January 4, 2022, Butte AIDS Support Services, 7:00 pm, Community Center

January 5, 2022, Civic Center, 12:00 pm, Civic Center Hospitality Room

January 5, 2022, East Butte RRA, 9:00 am

January 9, 2022, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room

January 9, 2022, Archives, 12:00 pm, Archives Center

January 10, 2022, Land Sales Committee, 1:30 pm, Archives Auditorium

January 10, 2022, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center

January 11, 2022, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room

January 11, 2022, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.

January 11, 2022, Board of Health, 7:00 am, Health Dept. Conference Room

January 12, 2022, Greenway Service District Board, 4:30 pm, Butte

January 13, 2022, TIFID, 12:00 pm, Business Development Center

January 16, 2022, Parks & Recreation, 11:30 am, Highland View Clubhouse

January 17, 2022, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building



January 17, 2022, Urban Forestry Board, 1:00 pm, Business Development Center  
January 17, 2022, Public Housing Authority, 5:00 pm, New Deal Community Center

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

**ADJOURN**

**MEETINGS**

**ECONOMIC DEVELOPMENT COMMITTEE MEETING**

*JANUARY 4, 2023*

*6:30 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS*

Kelly Sullivan will be presenting on behalf of Butte Local Development Corporation.

**FINANCE & BUDGET COMMITTEE MEETING**

*JANUARY 4, 2023*

*7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS*

Expenditure report for the week of January 4, 2023 was reviewed and approved in the amount of \$ \_\_\_\_\_ for FY 2023.

**MEETING REPORTS**

**COMMITTEE OF THE WHOLE REPORT**

*DECEMBER 28, 2022*

*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 2: COMMUNICATIONS**

1.COMMUNICATION NO. [2022-556](#)

Trevor Peterson, Parks & Rec Arborist requesting Council of Commissioners authorization to have Chief Executive Gallagher sign the Butte-Silver Bow (BSB) Parks and Recreation 2023 Montana Department of Natural Resources and Conservation (DNRC) Program Development Grant agreement.

[2022-556 Agreement](#)

*Hold in Abeyance*

2.COMMUNICATION NO. [2022-569](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence to schedule a bid opening for December 21, 2022, for a bucket truck for traffic control in the Roads Division.

*Place on File*



3.COMMUNICATION NO. [2022-570](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence to schedule a bid opening for December 21, 2022, for a camera truck for the Metro Maintenance Division.  
*Place on File*

4.COMMUNICATION NO. [2022-571](#)

Karen Maloughney, BSB Health Officer requesting Council of Commissioners concurrence to schedule a Public Hearing for December 21, for the purpose of amending the fiscal year 2022-2023 budget to allow for increased expenditures of unanticipated revenue resulting from an amendment to the Immunization Grant.  
*Place on File*

5.COMMUNICATION NO. [2022-581](#)

John Riordan, Commissioner District 8, and Citizens United Against Urban Decay in Butte Silver Bow requesting Council of Commissioners concurrence to allow a presentation on December 21, 2022, Council meeting to discuss current urban decay issues, many requiring immediate attention. Commissioner Riordan and this group respectfully ask the Chief Executive to form a special Coalition to include Commissioners, Butte citizens and BSB Dept. heads to begin a joint effort to address these urgent issues.  
*Hold in Abeyance*

6.COMMUNICATION NO. [2022-582](#)

Jim Keenan, Water Treatment Chief Operator requesting Council of Commissioners concurrence to allow a bid opening on January 4, 2023 for supplying chemicals to be used by the BSB Water and Wastewater Treatment Plants and Ridge Waters Water Park.  
*Hold in Abeyance*

7.COMMUNICATION NO. [2022-585](#)

Kristen Rosa, TIFID Administrator requesting Council of Commissioners authorization to have Chief Executive Gallagher sign an amendment to the contract with Water and Environmental Technologies.  
[2022-585 Amendment](#)  
*Place on File*

8.COMMUNICATION NO. [2022-586](#)

Mark Neary, Public Works Director requesting Council of Commissioners concurrence to schedule a bid opening for January 4, 2023 for a tracked skid steer for the Roads Division.  
*Hold in Abeyance*

**FINANCE AND BUDGET COMMITTEE MEETING REPORT**

DECEMBER 28, 2022

*6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS*

Expenditure report for the week of December 28, 2022 was reviewed and approved in the amount of \$739,152.75 for FY 2023.



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

**PUBLIC WORKS COMMITTEE MEETING REPORT**

DECEMBER 28, 2022

6:30 PM BUTTE SILVER-BOW COCOURTHOUSE CHAMBERS

1. PETITION NO. 2021-03

Dave Aguirre, Land Records Coordinator for a petition to close and vacate a public right-of-way (street), has been filed with the Planning Department, as provided for and within Ordinance Number 362 and Butte-Silver Bow Municipal Code, Section 12.06.010.

Set Public Hearing

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

**JUDICIARY COMMITTEE MEETING REPORT**

DECEMBER 28, 2022

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

<b>Name</b>	<b>Amount</b>	<b>Reason</b>	<b>Approved</b>	
FORT & HOME DEVELOPMENT	\$400.00	REFUND OF DEMOLITION OF FIRE DAMAGED GARAGE 118 E PLATINUM	YES	
LEVERNE HECKER 1119 LONE PINE GULCH	\$2000.00	REFUND FOR DEMOLITION OF 10 SMALL FARM & RANCH STRUCTURES	YES	





<i>Committee Members</i>	<i>Present/Absent</i>
Bill Andersen, Chair	A
Michele Shea, Vice-Chair	P
Dan Callahan	P
Eric Mankins	A
John Sorich	P
Hattie Thatcher	P

