

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY JANUARY 6, 2021
7:30 PM VIA WEB-EX**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[December 16, 2020 Regular Meeting](#)

ITEMS NOT ADDRESSED ON THE AGENDA

CHIEF EXECUTIVE'S REPORT

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

BID OPENINGS

1.COMMUNICATION NO. [21-11](#)

Karen Byrnes, Community Development Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to approve the 2020 Economic Mill Levy Fund proposals be opened on Wednesday January 6, 2021 at the Council of Commissioners Regular Meeting.

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.COMMUNIATION NO. [21-1](#)

Bob Lazzari, Parks and Rec Special Event Coordinator requesting Council of Commissioners concurrence and authorization for the Chief Executive to pursue a (RTP) grant, administered by Montana State Parks. This grant requires a 25% match or up to \$7000.

Concur and Place on File

2.COMMUNICATION NO. [21-2](#)

Bob Lazzari, Parks and Rec Special Event Coordinator requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign a lease agreement with Mary Kenneally, Town Pump, for the property at the corner of Platinum and Excelsior. BSB uses this property yearly for the purpose of Christmas Tree collection and for sand piles for public use.

[21-2 Lease Agreement](#)

Concur and Place on File

3.COMMUNICATION NO. [21-3](#)

Bob Lazzari, Parks and Rec Special Event Coordinator requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign a Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Montana Gaelic Cultural Society.

[21-3 MOU](#)

Concur and Place on File

4.COMMUNICATION NO. [21-4](#)

Demetrius Fassas, BSB Behavioral Health Local Advisory Council Streeting Committee requesting Council of Commissioners authorization for the introduction of the attached Resolution, which would repeal Resolution No. 15-45 and allow for the reformation of a more effective LAC structure.

[21-4 Resolution Request](#)

Refer to Judiciary Committee

5.COMMUNICATION NO. [21-5](#)

Cari Coe, Historic Clark Chateau Program Director requesting Council of Commissioners concurrence and authorization to schedule a Public Hearing for January 20, 2021 for the purpose of conducting a public hearing concerning amending the Fiscal year 2020-2021 budget to allow for increased expenditures of unanticipated revenue in the Archives-Clark Chateau budget.

[21-5 Agreement](#)

[21-5 Quote](#)

Hold in Abeyance

6.COMMUNICATION NO. [21-6](#)

Lori Casey, Planning Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to approve Council Communication #2020-472-Carol Griff and Phillip Barto, 818 Mountain Street, Butte MT requesting to Purchase a Portion of City-County Owned Property.

Concur and Place on File



7.COMMUNICATION NO. [21-7](#)

Lori Casey, Planning Director requesting Council of Commissioners concurrence and authorization for the Chief Executive to approve Council Communication #2020-485 a request from Jeff Riggs, to purchase a City-County Owned Parking Lot located at 103 S Washington.

Concur and Place on File

8.COMMUNICATION NO. [21-8](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence and authorization to appoint the following to the Butte-Silver Bow Board of Health, Julie Hart.

Concur and Place on File

9.COMMUNICATION NO. [21-9](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence and authorization to appoint the following to the Butte-Silver Bow Board of Health, Cindi Shaw.

Concur and Place on File

10.COMMUNICATION NO. [21-10](#)

Cindi Shaw, Council of Commissioners Chairperson requesting Council of Commissioners concurrence and authorization to approve the recommendation for Standing Committees for 2021-2022.

Concur and Place on File

11.COMMUNICATION NO. [21-13](#)

Jim Keenan, Chief Water Operator requesting Council of Commissioners concurrence and authorization for the Chief Executive to sign a Professional services Agreement between HDR Engineering Inc. and Butte-Silver Bow.

[21-13 Agreement](#)

Concur and Place on File

SECTION 3: COMMUNICATIONS TO BE READ AND ACTED UPON

1.COMMUNICATION NO. [21-12](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners concurrence and authorization to sign the contract with James Kambich. This contract is based on Mr. Kambich's experience, education and duties that will be assigned by the Chief Executive.

[21-12 Contract](#)

SECTION 4: ORDINANCES AND RESOLUTIONS FINAL READING

1.RESOLUTION NO. [2020-77](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY GENERALLY DESCRIBED AS A PORTION OF CERTIFICATE OF SURVEY 1037B-RB, TRACT BE OF S26, T03 N, R09 W WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO WAREHOUSE DISTRIBUTION OF BUTTE LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



SECTION 5: ORDINANCES AND RESOLUTIONS SUSPENSION OF THE RULES FINAL PASSAGE

1.RESOLUTION NO. 2021-01

A RESOLUTION AMENDING THE BUDGET DURING THE FISCAL YEAR IN ACCORDANCE WITH SECTION 7-6-4032, MONTANA CODE ANNOTATED (MCA) PROVIDING FOR AN EMERGENCY BUDGET APPROPRIATION; APPROPRIATING UNANTICIPATED REVENUE TO THE BUTTE-SILVER BOW LAW ENFORCEMENT AGENCY FROM THE MONTANA BOARD OF CRIME CONTROL CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

PLEASE CALL IN AT 497-5009

CALENDAR OF OTHER MEETINGS AND EVENTS

DUE TO COVID-19 PANDEMIC, COMMITTEE MEETINGS WILL BE BY WEB-EX.

January 5, 2021, Historic Preservation Commission, 5:30 pm, Council Chambers
January 5, 2021, Weed Board, 7:00 pm, Weed Office, 25 West Front
January 5, 2021, Fire Advisory Committee, 5:30 pm, Butte 1st Floor Conference Room
January 6, 2021, Board of Health, 7:00 am, Health Dept. Conference Room
January 6, 2021 Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office
January 6, 2021, Butte AIDS Support Services, 7:00 pm, Community Center
January 7, 2021, Civic Center, 12:00 pm, Civic Center Hospitality Room
January 7, 2021, East Butte RRA, 9:00 am, 1st Floor Conference Room
January 8, 2021, TIFID, 12:00 pm, Business Development Center
January 11, 2021, Archives, 12:00 pm, Archives Center
January 11, 2021, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
January 12, 2021, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center

ADJOURN

MEETINGS

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

ECONOMIC DEVELOPMENT MEETING

JANUARY 6, 2020

6:00 PM VIA WEB-EX

1.BLDC REPORT- Joe Willauer,



FINANCE & BUDGET COMMITTEE MEETING

JANUARY 6, 2021

7:00 PM VIA WEB-EX

Public comment on any items on the agenda

Expenditure report for the week of January 6, 2021 was reviewed and approved in the amount of \$_

We are still meeting remotely but will be taking Public Comment by calling 497-5009

REPORTS

COMMITTEE OF THE WHOLE REPORT

DECEMBER 30, 2020

*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:

PUBLIC HEARINGS

1. COMMUNICATION NO. [2020-492](#)

Mike Clague Deputy County Attorney requesting Council of Commissioners authorization to hold a Public Hearing for December 30, 2020 to amend the Fiscal Year 2020-2021 budget to receive funds from the U.S. Department of Justice, Bureau of Justice Assistance (BJA) for the purpose of starting the Butte Veterans Treatment Court.

Held

BID OPENINGS

2. COMMUNICATION NO. [2020-518](#)

Jim Keenan, Chief Water Operator requesting Council of Commissioners approval to schedule a bid opening for December 30, 2020 for supplying chemicals to be used by the BSB Water and Wastewater Treatment Plants and Ridge Waters Water Park.

Refer to Public Works Department

SECTION 2. COMMUNICATIONS

1. COMMUNICATION NO. [2020-411](#)

Brendan McDonough, Commissioner District 8 requesting Council of Commissioners consideration that Butte-Silver Bow take over the outside maintenance of the Community Ice Center located at Clark Park. The original operating agreement had the Butte Amateur Hockey Association maintaining the grounds; however, I think BSB should assume the maintenance.



Hold in Abeyance

2.COMMUNICATION NO. [2020-440](#)

Angie Mullikin, Public Works Budget Analyst requesting Council of Commissioners schedule a Public Hearing for November 4, 2020 for the purpose of soliciting comments on the Unanticipated Revenue for a memorial bench to be placed in Clarks Park in view of the Lady of the Rocky's. The memorial bench is to have a plaque affixed to it with the inscription of "In loving memory of John Swisher "Storyteller" 1966-2020, Forever in our hearts, the 12's.

Note and Place on File

3.COMMUNICATION NO. [2020-472](#)

Carol Griff and Phillip Barto, 818 Mountain Street Butte Mt. requesting Council of Commissioners permission to purchase Tax Parcel #1903000, a vacant City-County owned property north of and adjacent to my property, located at 818 Mountain Street Butte Montana. [2020-472 Maps](#)

Hold in Abeyance

4.COMMUNICATION NO. [2020-485](#)

Jeff Riggs, Butte Montana requesting Council of Commissioners authorization to purchase the city-owned parking lot located at 103 S. Washington Street (SW corner of W Galena Street and Washington Street).

[2020-485 Property Record](#)

Hold in Abeyance

5.COMMUNICATION NO. [2020-489](#)

Cari Coe, Program Director, The Root & the Bloom Collective requesting Council of Commissioners authorization to do a presentation on December 9, 2020 to present our completion of Phase I of the Memorandum of Understanding with Butte-Silver Bow on renovation of the Jacobs House.

[2020-489 Jacobs House Pictures](#)

Place on File

FINANCE & BUDGET COMMITTEE MEETING REPORT

DECEMBER 30, 2020

COUNCIL OF TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COMMISSIONERS

Ladies and Gentlemen,

We, your Council of Commissioners, and Chairman John Morgan, respectfully recommends as follows: Expenditure report for the week of December 30, 2020 was reviewed and approved in the amount of \$135,387.58 and \$1,026,661.35 for 2021



<u>Committee Members</u>	<u>Present /Absent</u>
Brendan McDonough Chair	P
Bill Andersen, Vice Chair	A
Dan Callahan	P
Jim Fisher	P
Josh O’Neil	P
Michele Shea	P

PUBLIC WORKS COMMITTEE MEETING REPORT

DECEMBER 30, 2020

6:30 PM

1.COMMUNICATION NO. [2020-139](#)

Brendan, McDonough, Commissioner District 8 requesting Council of Commissioners to consider that a speed study be conducted by the Montana Department of Transportation on Highway 2 from the nine-mile to Pipestone Pass. With the upcoming recreational season approaching, I ask that a study and decision be made in a timely manner to address the safety concerns for the spring and summer season.

Hold in Abeyance

2.COMMUNICATION NO. [2020-402](#)

Michele Shea, District 2 Commissioner requesting Council of Commissioners concurrence to place this communication in the Public Works Committee, to review the traffic calming methods around the Whittier School area. Many citizens have expressed concerns about the safety of the children in this area.

Note and Place on File

PUBLIC WORKS COMMITTEE MEMBERS:

Dan Olsen, Chairman	P
Jim Fisher	P
Dan Callahan	P
Brendan McDonough	P
Eric Mankins	A
Shawn Fredrickson	P
Mark Neary	P

JUDICIARY COMMITTEE MEETING REPORT

DECEMBER 30, 2020, 2020

7:00 PM



1.COMMUNICATION NO. [2020-503](#)

Dan Olsen, Commissioner District 5 requesting Council of Commissioners to address the following problem with Butte-Silver Bow Ordinance Chapter 6.16 - Livestock and Domesticated hoofed Animals as currently written is unenforceable by B-SB and does not interface seamlessly with MCA 81-4-201--81-4-401 to allow the State to provide enforcement.

Hold in Abeyance

1.RESOLUTION NO. [2020-77](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY GENERALLY DESCRIBED AS A PORTION OF CERTIFICATE OF SURVEY 1037B-RB, TRACT BE OF S26, T03 N, R09 W WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO WAREHOUSE DISTRIBUTION OF BUTTE LLC, IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading

JUDICIARTY COMMITTEE MEMBERS:

Chairman: Brendan McDonough	P
Vice Chairman: Shawn Fredrickson	P
Michele Shea	P
Dan Olsen	P
Eric Mankins	A
John Sorich	p

