

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, APRIL 03, 2019
7:30 PM**

ROLL CALL

PRAYER AND PLEDGE

PUBLIC COMMENT ON ANY ITEMS ON THE CONSENT AGENDA

APPROVAL OF THE MINUTES

Minutes March 20, 2019

[Regular Meeting Minutes March 20, 2019.pdf](#)

ITEMS NOT ADDRESSED ON THE AGENDA

SECTION 1 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. 19-134

Danette Gleason, Finance & Budget Director requesting Council of Commissioners review and note that the Finance & Budget Director has completed the obligations to report to the Council of Commissioners under the Procedures Regarding Municipal Securities Disclosure and place on file.

Note and place on file.

[19-134.pdf](#)

[19-134 Report.pdf](#)

2. COMMUNICATION NO. 19-135

Ed Lester, Sheriff Butte-Silver Bow requesting Council of Commissioners authorize the Chief Executive to sign and authorize the implementation of the agreement with the Southwest Montana Drug Task Force (SWMDTF) for the FY 2020. Butte Silver Bow will be asked for \$10,000 in matching funds for the SWMDTF grant.

Refer to Finance & Budget

[19-135.pdf](#)

[19-135 Agreement.pdf](#)

3. COMMUNICATION NO. 19-136

James Kujawa, Universal Design & Engineering requesting Council of Commissioners approve the purchase of property, legal description: Thornton Addition, Bloc 4, Lots 2 & 3, Section 13, Township 3 North, Range 8 West. Property address 328 E Broadway for the purpose of building a residence.

Refer to land sales and hold in the Committee of the Whole.

[19-136.pdf](#)

[19-136 Scope of work.pdf](#)

[19-136 Property Card.pdf](#)

[19-136 Map 1.pdf](#)

[19-136 Map 2.pdf](#)

4. COMMUNICATION NO. 19-137

Mandy Axelson, Silverbow Montessori requesting Council of Commissioners authorize Silver Bow Montessori to hold annual Spring Fling 5K and Bunny Fun Run on Saturday, April 13, 2019. All approvals have been received.

Concur and place on file.

[19-137.pdf](#)

[19-137 Checklist.pdf](#)

[19-137 Map.pdf](#)

[19-137 Application.pdf](#)

[19-137 Approvals.pdf](#)

5. COMMUNICATION NO. 19-138

Danette Gleason, Director Finance & Budget requesting Council of Commissioners review the Fiscal Year 2020 Budget Schedule. The final budget resolution is slated to be adopted on Wednesday, August 14, 2019 at a Special Meeting.

Note and place on file.

[19-138.pdf](#)

6. COMMUNICATION NO. 19-139

Jeff Miller, Director Fire Services requesting Council of Commissioners allow time on the agenda for a Public Hearing on April 17, 2019 for the purpose of amending the Fiscal Year 2018-2019 Fire Department budget.

Hold in abeyance.

[19-139.pdf](#)

7. COMMUNICATION NO. 19-140

R. Edward Banderob, Citizen requesting Council of Commissioners request the Chief Executive to designate an appropriate entity to conduct a survey, prepare a feasibility proposal and recommendation relative to a Green Container Biodegradable Waste Management Program to complement the present Landfill Composting and Alley Rally programs.

Refer to the Chief Executive and Community Enrichment Department and Place on file.

[19-140.pdf](#)



8. COMMUNICATION NO. 19-141

Chief Executive Palmer requesting Council of Commissioners authorize him to recognize April 2019 as "Strengthening Families Month" and every Monday throughout April as "Go Blue Monday" in Butte-Silver Bow County.

Concur and place on file.

[19-141.pdf](#)

9. COMMUNICATION NO. 19-142

Chief Executive Palmer requesting authorization to sign two Consent for Access Property forms for the Environmental Protection Agency to conduct field work in support of a remedial Investigation/Feasibility Study (RI/FS) at the West Side Soils Operable Unit (WSSOU).

Concur and place on file.

[19-142.pdf](#)

[19-142 Greenway Service Dist..pdf](#)

[19-142 Butte Silver Bow.pdf](#)

10. COMMUNICATION NO. 19-143

Lori Casey, Planning Director requesting Council of Commissioners approve Zoning Application No. 178 and prepare an ordinance adopting the proposed text amendment to Chapter 17.31

Concur and place on file.

[19-143.pdf](#)

11. COMMUNICATION NO. 19-144

Karen Byrnes, Director Community Development requesting Council of Commissioner authorize the Chief Executive to sign the Contract Amendment on behalf of Butte-Silver Bow with the Montana Department of Commerce for the purpose of extending the date to March 31, 2020 on Contract #MT-18-MMS-60-008A (Finlen Hotel).

Concur and place on file.

[19-144.pdf](#)

[19-144 Contract Amendment.pdf](#)

12. COMMUNICATION NO. 19-145

Leslie Clark, Director Human Resources requesting Council of Commissioners concur and authorize the Chief Executive to sign the plan amendment to the Allegiance Health Insurance Plan Document and Summary Plan Description.

Concur and place on file.

[19-145.pdf](#)

[19-145 Amendment.pdf](#)

13. COMMUNICATION NO. 19-146

Nicole Evankovich, Assistant Director Archives requesting Council of Commissioner's authorization to destroy certain local government records.

Concur and place on file.



[19-146.pdf](#)
[19-146 Disposal #23.pdf](#)
[19-146 Disposal #24.pdf](#)

14. COMMUNICATION NO. 19-147

Karen Sullivan, Health Officer requesting Council of Commissioners allow time on the April 17, 2019 Regular Meeting Agenda for a Public Hearing for the purpose of amending the fiscal year 2018-2019 budget.

Hold in abeyance pending Public Hearing.

[19-147.pdf](#)

SECTION 2 ORDINANCES SECOND READING

1. COUNCIL BILL NO. 19-05

ORDINANCE NO. 19-05

AN ORDINANCE AMENDING CHAPTER 12.10 OF THE BUTTE -SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "EASEMENT REQUESTS", AND SPECIFICALLY AMENDING THE TITLE OF THIS CHAPTER TO 'EASEMENT REQUESTS - PORTABLE STORAGE EXCEPTION', AND ADDING NEW SECTIONS TO BE NUMBERED 12.10.020, 12.10.030, AND 12.10.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[ORDINANCE NO 19-5.pdf](#)

SECTION 3 ORDINANCES AND RESOLUTIONS FINAL READING

1. RESOLUTION NO. 19-11

A RESOLUTION GRANTING THE APPROVAL OF THE AMENDED PLAT OF BLOCKS 16, 25 AND 26 OF THE GILMAN ADDITION, LEGION OASIS MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[RESOLUTION NO 19-11.pdf](#)

SECTION 4 SUSPENSION OF THE RULES FOR FINAL PASSAGE

1. COUNCIL RESOLUTION NO. 19-14

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR MONTANA PRECISION PRODUCTS, LLC 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.

[Resolution 19-14.pdf](#)

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS



April 4, 2019, Civic Center, 12:00 pm, Civic Center Hospitality Room
April 4, 2019, East Butte RRA, 9:00 am, 1st Floor Conference Room, ad hoc basis
April 8, 2019, Archives, 12:00 pm, Archives Center
April 9, 2019, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
April 10, 2019, Land Sales Committee, 1:30 pm, First Floor Conference Room
April 10, 2019, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
April 10, 2019, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
April 11, 2019, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.
April 12, 2019, TIFID, 12:00 pm, Business Development Center
April 15, 2019, Parks & Recreation, 11:30 am, Butte Justice Center
April 16, 2019, Public Housing Authority, 5:00 pm, New Deal Community Center
April 16, 2019, Urban Forestry Board, 1:00 pm, Business Development Center
April 16, 2019, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
April 17, 2019, Parking Commission, 3:00 pm, Chief Executive Conference Room

ADJOURN

MEETINGS

ECONOMIC DEVELOPMENT COMMITTEE MEETING

April 3, 2019

6:00 PM COURTHOUSE COUNCIL CHAMBERS

1. BLDC REPORT

2. COMMUNICATION NO. 19-18

Commissioner Dan Olsen requesting Council of Commissioners approve discussion between the Economic Development Committee members and dispersal of Economic Development Grant funds that were refused in the 2018-2019 Economic Development Mill Levy process.

[19-18.pdf](#)

3. COMMUNICATION NO. 19-74

Greeley Neighborhood Community Development Corporation requesting Council of Commissioners, specifically the Economic Development Committee, instruct the GNCDC Inc., to either transfer or return the Economic Development Mill Levy Grant Funds they received.

[19-74.pdf](#)

FINANCE & BUDGET COMMITTEE MEETING

April 3, 2019

7:00 PM COURTHOUSE COUNCIL CHAMBERS



Expenditure report for the week of April 3, 2019 was reviewed for the amount of \$_____.

REPORTS

COMMITTEE OF THE WHOLE MEETING REPORT

March 27, 2019

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 19-117

Mark Neary, Public Works Director requesting Council of Commissioners allow time on the March 27, 2019 Committee of the Whole Meeting Agenda for a Bid Opening for the Superfund Department's Phase 2 Smoke Testing project.

Bid Opening Held, referred back to Public Works Department.

[19-117 Bid Opening.pdf](#)

SECTION 2. PUBLIC HEARING

COMMUNICATION NO. 19-104

Lori Casey, Planning Director requesting Council of Commissioners allow time on the March 27, 2019 Agenda for a Public Hearing regarding Zone Change Application No. 178.

Public Hearing held.

[19-104.pdf](#)

SECTION 3. PRESENTATION

COMMUNICATION NO. 19-114

Nikia Greene, US EPA Region 8, MT. Office remedial Project Manager requesting Council of Commissioners allow time on the March 27, 2019 Agenda for a Presentation regarding West Side Soils Operable Unit (WSSOU) Remedial Investigation.

Presentation held.

[19-114.pdf](#)

SECTION 1. COMMUNICATION NO. 19-65



William Andersen, Commissioner District 10 requesting Council of Commissioners draft a letter and send it to the Montana State Legislature in support of Medicaid expansion in the state of Montana.

Hold in abeyance.

[19-65.pdf](#)

SECTION 2. COMMUNICATION NO. 19-94

David Boyd, CCCS Chemical Dependency Services Director requesting Council of Commissioners authorize time on the March 20th Regular Meeting Agenda for a presentation to provide the Community and Council Members a brief overall summary of activities regarding the SMART program from 2018-2019.

Place on file.

[19-94.pdf](#)

SECTION 3. COMMUNICATION NO. 19-101

Jason Parish, Public Information Officer requesting Council of Commissioners allow time on the April 17, 2019 Regular Meeting Agenda for a Bid Opening for the Government Software Solution.

Hold in abeyance.

[19-101.pdf](#)

SECTION 4. COMMUNICATION NO. 19-104

Lori Casey, Planning Director requesting Council of Commissioners allow time on the March 27, 2019 Agenda for a Public Hearing regarding Zone Change Application No. 178.

Held. Place on file.

[19-104.pdf](#)

SECTION 5. COMMUNICATION NO. 19-109

Leslie Clark, Human Resources Director requesting Council of Commissioners refer the Human Resources Manual policies to the Personnel Committee for review and concurrence.

Place on file.

[19-109.pdf](#)

[19-109 Personnel Policies.pdf](#)

SECTION 6. COMMUNICATION NO. 19-121

Patsy Coates, Property Specialist, Butte-Silver Bow Land Records Office, requesting Council of Commissioners and the Chief Executive to concur in the request of the County Attorney's Office to issue a Resolution for Mailing "Notice that a Tax Deed may be issued to the County" to all property owners and interested parties listed on the delinquent real property taxes for year 2015.

Hold in abeyance.

[19-121.pdf](#)

FINANCE & BUDGET COMMITTEE MEETING REPORT

March 27, 2019



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 March 27, 2019 was approved for the amount of \$1,071,116.63.

Approved

FINANCE & BUDGET COMMITTEE MEMBERS:

Brendan McDonough Chairman- Present
Bill Andersen, Vice-Chair- Present
Dan Callahan- Present
Jim Fisher- Present
Josh O'Neill- Present
Michele Shea- Present

PUBLIC WORKS COMMITTEE MEETING REPORT

March 27, 2019

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

Ladies and Gentlemen,

We, your Public Works Committee, respectfully recommend as follows:

SECTION 1. COMMUNICATION NO. 19-22

Bernie Shelton, BSB Citizen requesting Council of Commissioners follow up on signage that was passed in 1997 with BSB Ordinance 596, requesting the MDT install signage on the interstate prohibiting the use of jake brakes that have never been installed. Mr. Shelton also requests Council consider expanding the scope of this Ordinance to include all interstate mileage in the County and in their entirety southbound, Montana Street, Main Street and Arizona/Utah Streets.

Hold in abeyance.

[19-22.pdf](#)

[19-22 Attachments.pdf](#)

PUBLIC WORKS COMMITTEE MEMBERS:



Dan Olsen, Chairman-- Present
Jim Fisher, Vice-Chairman--Present
Dan Callahan-- Present
Eric Mankins-- Present
Brendan McDonough--Present
Shawn Fredrickson-- Present

Also Present: Mark Neary, Director Public Works

JUDICIARY COMMITTEE MEETING REPORT

March 27, 2019

*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:

SECTION 1. CLAIMS APPROVAL

Douglas Gronvold	\$ 870.00	Metro refund
2016/2017/Portion of 2018-Parcel #639200 & Garbage		2016/2017/Portion
2018 - Parcel #639200		
Angel Lampert	\$3965.67	Refund Owners
Redeemed Tax Assg. #0001877300/Interest		

Approved

SECTION 2. COUNCIL BILL NO. 19-03

COUNCIL ORDINANCE NO. 19-03

AN ORDINANCE AMENDING CHAPTER 9.24 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC), ENTITLED “WEAPONS”, AND SPECIFICALLY AMENDING SECTION 9.24.030 G 1 ENTITLED “DEFINITIONS”-“REGULATED AREA” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Hold in abeyance.

[Ordinance 19-3.pdf](#)

[Ordinance 19-3 Redline.pdf](#)

[Ordinance 19-3 Map.pdf](#)

SECTION 3. COUNCIL BILL NO. 19-05



ORDINANCE NO. 19-05

AN ORDINANCE AMENDING CHAPTER 12.10 OF THE BUTTE -SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "EASEMENT REQUESTS", AND SPECIFICALLY AMENDING THE TITLE OF THIS CHAPTER TO 'EASEMENT REQUESTS - PORTABLE STORAGE EXCEPTION', AND ADDING NEW SECTIONS TO BE NUMBERED 12.10.020, 12.10.030, AND 12.10.040 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Second Reading.

[ORDINANCE NO 19-5.pdf](#)

SECTION 4. RESOLUTION NO. 19-11

A RESOLUTION GRANTING THE APPROVAL OF THE AMENDED PLAT OF BLOCKS 16, 25 AND 26 OF THE GILMAN ADDITION, LEGION OASIS MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Move to Final Reading.

[RESOLUTION NO 19-11.pdf](#)

SECTION 5. 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.

Cross reference with Council Ordinance No. 19-05 and place on file.

[18-559.pdf](#)

JUDICIARY COMMITTEE MEMBERS:

Brendan McDonough, Chair - Present
Shawn Fredrickson, Vice Chair- Present
Dan Olsen- Present
Eric Mankins- Present
John Sorich-Present
Michele Shea-Present