

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, APRIL 6, 2022
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[March 23, 2022, Regular Meeting Minutes](#)

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. [2022-123](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for April 6, 2022, for hot asphalt and polymer for the 2022 construction season.

PUBLIC HEARINGS

1.COMMUNICATION NO. [2022-113](#)

Lori Baker-Patrick, BSB Treasurer requesting Council of Commissioners to schedule a public hearing for April 6, 2022 agenda for the purpose of amending the fiscal year 2021-2022 budget to allow for increased expenditures of unanticipated revenue from the Montana Motor Vehicle Division.

2.COMMUNICATION NO. [2022-120](#)

Mike Clague, Deputy County Attorney requesting Council of Commissioners authorization to schedule a public hearing for April 6, 2022 for the purpose of obtaining comment on amending the fiscal year 2022-2023 budget in order to receive grant funds from the BJA in the amount of \$566,110 for the Veterans Treatment Court and the BSB DUI Court to improve its operation.



3.COMMUNICATION [2022-124](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a public hearing on April 6, 2022, for Sole Source of SmartSensor Traffic Control for Traffic Lights throughout Butte. A resolution will be introduced on April 20, 2022 Regular meeting. We would like to update the traffic lights throughout the city as needed for Fiscal Years 2022, 2023 and 2024.

4.COMMUNICATION [2022-127](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a public hearing on April 6, 2022, for Sole Source of UV Disinfection Replacement Materials for the Wastewater Treatment Plant (WWTP). A resolution will be introduced on April 20, 2022, Regular meeting. This is to extend this Sole Source to cover repair materials needed for the system in Fiscal Years 2022, 2023 and 2024.

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. [2022-133](#)

Doug Conway, Captain of the Butte-Silver Bow Law Enforcement Department, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a one-year agreement for services between Butte-Silver Bow and Lexipol, LLC for online law enforcement and corrections training for our police, detention, and communications officers. The agreement would initiate on July 1, 2022 and end on June 30, 2023, with an option to renew at that time.

[Agreement](#)

Concur and Place on File

2.COMMUNICATION NO. [2022-134](#)

Linda Sajor-Joyce, Clerk & Recorder, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign the HAVA (Help America Vote Act) Funding Subgrant Recipient Agreement. This Agreement is a follow-up to Communication 2022-90, which is a grant used to offset costs of additional personnel to help do parallel testing of the new ElectMT database.

[Agreement](#)

Concur and Place on File

3.COMMUNICATION NO. [2022-135](#)

Karen Maloughney, Health Officer, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between Butte-Silver Bow and 360 Office Solutions for lease services for the WIC program.

[Agreement](#)

Concur and Place on File



4.COMMUNICATION NO. [2022-136](#)

John Rolich, Environmental Health Division Director, requesting Council of Commissioners approve the Butte-Silver Bow Health Department to apply for the NEHA-FDA Retail Flexible Funding Model Grant Program funding to be utilized for travel, training and upgrading the retail food program.

Concur and Place on File

5.COMMUNICATION NO. [2022-137](#)

Doug Conway, Captain of the Butte-Silver Bow Law Enforcement Department, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Memorandum of Understanding between Butte-Silver Bow and the Southwest Montana Drug Task Force. This MOU will establish general guidelines for a multiagency task force to address drug-related crime.

[MOU](#)

Concur and Place on File

6.COMMUNICATION NO. [2022-138](#)

J. P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the reappointments of Jack Kambich, Leanne Jensen and Kay Keil to the Divide Refuse Board.

Concur and Place on File

7.COMMUNICATION NO. [2022-139](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the reappointments of Sara Sparks, Abby Peltomaa and Brian Holland to the Archives Board.

Concur and Place on File

8.COMMUNICATION NO. [2022-140](#)

Linda Sajor, Joyce, Clerk & Recorder/Election Administrator, requesting Council of Commissioners and Chief Executive Gallagher's concurrence to place this communication on file, which serves the purpose of informing you of the contests that will and will not be on the primary ballot, in accordance with 13-14-155, MCA and past practices. Contests and Issues that will be on the June ballot can be viewed in the linked communication letter.

Concur and Place on File

9.COMMUNICATION NO. [2022-141](#)

Ed Heard, Recreation & Events Coordinator, is requesting Council of Commissioners and Chief Executive Gallagher approve the application for the free event that Over the Top Roofing LLC would like to hold at the Original Mine location, with Big Brothers, Big Sisters of Butte-Silver Bow. The event is called Basket Full of Fun, which includes three different Easter egg hunts to accommodate all age groups. The event would take place on April 16, 2022 from 11:00 AM through 1:00 PM.

Concur and Place on File

10.COMMUNICATION NO. [2022-142](#)

J. P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the reappointment of Ivy Fredrickson to the Superfund Advisory & Redevelopment Trust Authority.

Concur and Place on File



11.COMMUNICATION NO. [2022-143](#)

J. P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the appointments to the Zoning Board of Adjustment; John Ries, Tyler Shaffer and Dave Wing.
Concur and Place on File

12.COMMUNICATION NO. [2022-144](#)

Mary Jo and Steve Stosich, Citizen's of Butte-Silver Bow, requesting Council of Commissioners reconsider allowing Mary Jo and Steve Stosich to purchase vacant Butte-Silver Bow owned property, identified as Tax Parcel No. 472700, north of and adjacent to 60 Oro Fino Gulch Rd.
Refer to Land Sales

13.COMMUNICATION NO. [2022-145](#)

Shawn Fredrickson, Commissioner District #1 requesting Council of Commissioners provide its concurrence to have the City-County of Butte-Silver Bow, Montana adopt a resolution of intent to establish a C- PACE (Commercial Property Assessed Capital Enhancement) program within Butte-Silver Bow authorized by Title 90, Chapter 4, Part 13 (the "PACE Act") of the Montana Code Annotated. I would also request that a public hearing be scheduled for April 13, 2022.
Concur with request to adopt a Resolution of Intent and Hold a public hearing on April 13, 2022.

14.COMMUNICATION NO. [2022-146](#)

Danette Gleason, Finance & Budget Director, requesting Council of Commissioners authorization to schedule a public hearing on April 20, 2022, to take public comment on amending the Fiscal Year 2022 District Court-Court Mandate Cost for legal services under Title IV-E funding. The grant funds from the State of Montana Department of Health and Human Services, Child, and Family Services Division are to be used for legal services to represent youth in cases of child abuse, neglect, and dependency matters as set forth in Section 41-3-01, et. Seq. MCA.
Hold in Abeyance

15.COMMUNICATION NO. [2022-147](#)

Danette Gleason, Finance & Budget Director, is requesting Council of Commissioners and Chief Executive Gallagher's concurrence to place this communication on file, which serves the purpose of informing you of the tentative timeline concerning the fiscal year 2023 budget schedule and process. Over the next few months, the Chief Executive's Office and Finance & Budget Department will continue to work with all the departments on the annual budget to present the Chief Executive's recommended budget to the Council of Commissioners in late June. The final budget resolution is slated to be adopted on Wednesday, August 10, 2022 at a Special Meeting.
Note and Place on File

16.COMMUNICATION NO. [2022-148](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the appointment of Aubrey Jaap as the new Butte- Silver Bow Public Archives Director. The Archives Board of Directors unanimously approved a motion to recommend the appointment of Aubrey Jaap to the Chief Executive.
Concur and Place on File



17.COMMUNICATION NO. [2022-149](#)

Ed Heard, Recreation & Events Coordinator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between Butte-Silver Bow Parks and Recreation and Montana Shakespeare in the Parks regarding the performance of King Lear in Butte, which will take place on Thursday, September 1, 2022 at 6:00 PM at Stodden Park.

[Agreement](#)

Concur and Place on File

18.COMMUNICATION NO. [2022-150](#)

Ed Heard, Recreation & Events Coordinator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between Butte-Silver Bow and Skyhawks Sports Academy. Skyhawks Sports Academy will staff and operate sports camps in Stodden Park during the 2022 summer season.

[Agreement](#)

Concur and Place on File

19.COMMUNICATION NO. [2022-151](#)

Ashley Flammond, Senior Engineer at Water & Environmental Technologies, requesting Council of Commissioners and Chief Executive's approval of an extension request. Water and Environmental Technologies (WET) is requesting a one-year preliminary plat extension for the Amended Plat Buffalo Estates Temporary Open Space Subdivision on behalf of the current property owner, Gary Shea. Gary Shea was originally planning to submit the final plat application for the subdivision prior to the expiration date, however due to the severe drought experienced last summer, the proposed fire protection pond no longer holds sufficient water.

Concur and Place on File

20.COMMUNICATION NO. [2022-152](#)

Dylan Pipinich, Planning Director, requesting Council of Commissioners authorization to schedule a public hearing on April 27, 2022, for the Aware Inc. Subdivision. On March 24, 2022, the Butte-Silver Bow Planning Board approved a motion to recommend that the Council of Commissioners conditionally approve the Aware In. Subdivision and variance request. This major subdivision would create nine (9) lots for residential development and associated infrastructure.

Hold in Abeyance

21.COMMUNICATION NO. [2022-153](#)

Shawn Fredrickson, Commissioner District #1 and Eric Mankins, Commissioner District #9, requesting Chief Executive Gallagher to coordinate a presentation on the street maintenance fee for April 27, 2022 to discuss assessing the fee per tax parcel or per unit.

Hold in Abeyance

22.COMMUNICATION NO. [2022-154](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a lease agreement with Let's Get Moving for 12,000 square feet of building space in Montana Connections. The term of the lease is five (5) years with a five (5) year renewal.

[Lease Agreement](#)

Concur and Place on File



23.COMMUNICATION NO. [2022-155](#)

Lori Baker-Patrick, Butte-Silver Bow County Treasurer, requesting Council of Commissioners authorization for the County Attorney to draft a Council Resolution permitting the mailing of tax deed notifications and issuing tax deed. As part of the tax deed process, between May 1st and May 30th of the year in which the redemption period expires, a notice and proof of notice must be given. *Refer to County Attorney to draft a Resolution, and Concur and Place on File*

24.COMMUNICATION NO. [2022-156](#)

J. P. Gallagher, Chief Executive, requesting Council of Commissioners authorization for Mark Garff from SCJ Alliance to do an informational presentation on Wednesday, April 13, 2022 during the Committee of the Whole meeting regarding the Lady of the Rockies Tram Project and Gondola Technology report.

Hold in Abeyance

25.COMMUNICATION NO. [2022-157](#)

Eileen Joyce, County Attorney, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between the City-County of Butte-Silver Bow and law firm of Henningsen, Vuvurovich and Richardson for representation of the Department of Public Health and Human Services (DPHHS) on behalf of the City-County for all legal services related to the DPHHS's Dependent and Neglect (DN) cases.

[Agreement](#)

Concur and Place on File

26.COMMUNICATION NO. [2022-158](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners authorization for time on the April 20, 2022, Regular Council of Commissioners meeting agenda to conduct a presentation on the Uptown Master Plan.

Hold in Abeyance

27.COMMUNICATION NO. [2022-159](#)

Linda Sajor-Joyce, Clerk & Recorder, requesting Council of Commissioners authorization for an increase in petty cash from \$20 to \$50 for each of the three deputies. This increase will make it easier for the deputies to make change for customers without directing them to the Treasurer's Office to get correct change.

Concur and Place on File

28.COMMUNICATION NO. [2022-160](#)

Dylan Pipinich, Planning Director, requesting Council of Commissioners and Chief Executive Gallagher's concurrence with a recommendation to approve Zone Change Application No. 21.000004 and prepare an ordinance adopting the proposed change to the Butte-Silver Bow Zoning District Map. The application requests approval of a change of the zoning classification of approximately 350 acres of land currently not zoned to "RM-2" Rural Industrial.

Concur and Place on File



29.COMMUNICATION NO. [2022-161](#)

Dylan Pipinich, Planning Director, requesting Council of Commissioners and Chief Executive Gallagher's concurrence with a recommendation to approve Zone Change Application No. 22.000001 and prepare an ordinance adopting the proposed change to the Butte-Silver Bow Zoning District Map. The application requests approval of a change of the zoning classification of approximately 0.687 acres of land currently zoned R-3 "Multi-family Residential" to C-3 "Central Commercial."

Concur and Place on File

30.COMMUNICATION NO. [2022-162](#)

Mark Neary, Public Works Director, requesting Council of Commissioners authorization to schedule a bid opening for April 27, 2022, for chip sealing roads throughout Butte for the 2022 construction season.

Hold in Abeyance

31.COMMUNICATION NO. [2022-163](#)

Mark Neary, Public Works Director, requesting Council of Commissioners authorization to schedule a bid opening for April 27, 2022, for Mill/Fill roads throughout Butte for the 2022 construction season.

Hold in Abeyance

32.COMMUNICATION NO. [2022-164](#)

Mark Neary, Public Works Director, requesting Council of Commissioners approval for Chief Executive Gallagher to sign the DEQ - Notice of Intent for Storm Water Discharge for Butte-Silver Bow's MS4 permit.

[Notice of Intent](#)

Concur and Place on File

33.COMMUNICATION NO. [2022-165](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Fiber Optic Use Agreement with Visionary. This agreement will allow for expanded broadband services in Montana Connections Business Park.

[Agreement](#)

Concur and Place on File

34.COMMUNICATION NO. [2022-166](#)

Eileen Joyce, County Attorney, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign easements between the City-County of Butte - Silver Bow and Montana Resources and between Todd Miller and Kimberely Kelly Miller and the City-County of Butte-Silver Bow. All the easements are related to the Moulton waterline relocation project.

[Easements](#)

Concur and Place on File



35.COMMUNICATION NO. [2022-167](#)

Karen Byrnes, Community Development Director, requesting Council of Commissioners and Chief Executive Gallagher to review a draft of a resolution of support for a Butte National Historic Park, which will be introduced on the April 20, 2022 regular meeting agenda.

[Resolution Draft](#)

Note and Place on File

36.COMMUNICATION NO. [2022-168](#)

Eileen Joyce, County Attorney, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an "Assignment" between the City-County of Butte-Silver Bow ("City-County") the County Water and Sewer District of Rocker, Montana ("District") and DOWL. The assignment contemplates the District assigning its obligations under a contract and its amendments, which it entered into with DOWL, for engineering services related to replacing the District's existing lift station and rerouting the District's wastewater to the City-County's Metro Wastewater Treatment plant, to the City-County.

[Assignment](#)

Concur and Place on File

37.COMMUNICATION NO. [2022-169](#)

Bill Fisher, Battalion Chief/HazMat Coordinator, requesting Council of Commissioners and Chief Executive Gallagher's approval to apply for Hazardous Materials Emergency Preparedness (HMEP) Grant on behalf of the Butte- Silver Bow Fire Department. The deadline to apply for the grant is April 8, 2022. The office of Emergency Management has agreed to administer the grant if awarded.

Concur and Place on File

38.COMMUNICATION NO. [2022-170](#)

Bill Fisher, Battalion Chief/HazMat Coordinator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign and Accept the Hazardous Materials Emergency Preparedness (HMEP) Grant Agreement for fiscal year 2022.

[Agreement](#)

Concur and Place on File

39.COMMUNICATION NO. [2022-171](#)

Leslie Clark, Human Resources Director, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Amalgamated Transit Union, Local No. 381. This MOU addresses the need to change the qualification and wage requirements of the relief transit driver position as outlined in the Collective Bargaining Agreement.

[MOU](#)

Concur and Place on File



40.COMMUNICATION NO. [2022-172](#)

Eileen Joyce, County Attorney, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Memorandum of Understanding (MOU) between the City-County of Butte-Silver Bow and the Butte Rescue Mission. The MOU contemplates the City-County purchasing the property located at 123-125 E. Park Street from the Butte Rescue Mission, which shares a common wall with the property located at 135 E. Park Street, which is owned by the City-County.

[Attachment
MOU](#)

Concur and Place on File

SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1.RESOLUTION [2022-20](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOT 9 OF BLOCK 3 OF THE TRAVONIA FRACTION, LOCATED AT 322 W. GOLD STREET, PARCEL NO. 441800, IN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO MELISSA O'DELL, IN ACCORDANCE WITH THE LAWS OF THE STATE OF MONTANA AND THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION [2022-22](#)

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 GRANT REVENUE TO THE BUTTE-SILVER BOW ARCHIVES-CLARK CHATEAU FROM THE NATIONAL ENDOWMENT FOR THE ARTS FOR THE PURPOSE OF COMMISSIONING TEN MUSICIANS TO REINVENT BUTTE MINING AND LABOR SONGS.

SECTION 4: ORDINANCES AND RESOLUTIONS FOR SECOND READING

1.ORDINANCE NO. [2022-01](#)

COUNCIL BILL NO. [2022-01](#)

AN ORDINANCE REPEALING TITLE 18 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "FLOODPLAIN REGULATIONS" Ord. 89, 1979, IN ITS ENTIRETY AND REPLACING IT WITH A NEW TITLE REFERENCING THE MODEL REGUALTIONS ENTITLED "FLOODPLAIN HAZARD MANAGEMENT REGULATIONS" AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[2022-01 Attachment 1](#)

[2022-01 Attachment 2](#)



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

1.RESOLUTION NO. [2022-19](#)

A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF THE REAL PROPERTY DESCRIBED AS LOT 3B OF CERTIFICATE OF SURVEY 838B, LOCATED IN SECTION 25, TOWNSHIP 03 N, RANGE 09 W, WITHIN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA TO MT RJW1 DEVELOPMENT, A LIMITED LIABILITY CORPORATION IN ACCORDANCE WITH THE PROVISIONS OF THE BUTTE-SILVER BOW MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION NO. [2022-21](#)

A RESOLUTION APPROVING THE DISSOLUTION OF THE COUNTY WATER AND SEWER DISTRICT OF MONTANA, ADOPTING THEIR PLAN OF DISSOLUTION AND PROVIDING FOR THE EFFECTIVE DATE HEREIN.

SECTION 6: ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

1.RESOLUTION NO. [2022-17](#)

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AUDACITER CONSULTING, 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.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

- April 7, 2022, Civic Center, 12:00 pm, Civic Center Hospitality Room
- April 7, 2022, East Butte RRA, 9:00 am, 1st Floor Conference Room, *ad hoc basis*
- April 8, 2022, TIFID, 12:00 pm, Business Development Center
- April 11, 2022, Archives, 12:00 pm, Archives Center
- April 11, 2022, Fair Board, 6:00 pm, Perkins or HOPS Meeting Room
- April 12, 2022, Land Sales Committee, 1:30 pm Archives Auditorium
- April 12, 2022, Superfund Advisory (SARTA), 6:00 pm, Butte Justice Center
- April 13, 2022, Board of Health, 7:00 am, Health Dept. Conference Room
- April 13, 2022, Law Enforcement Commission, 4:00 pm, Chief Executive Conference Room
- April 13, 2022, Public Library Board, 5:00 pm, 3rd Floor, Library Bldg.
- April 14, 2022, Greenway Service District Board, 4:30 pm, Anaconda Comm. Service Bldg.
- April 18, 2022, Parks & Recreation, 11:30 am, Highland View Clubhouse
- April 19, 2022, Public Housing Authority, 5:00 pm, New Deal Community Center
- April 19, 2022, Technical Review Committee, 1:30 pm, 3rd Floor, Water Building
- April 19, 2022, Urban Forestry Board, 1:00 pm, Business Development Center
- April 20, 2022, Parking Commission, 3:00 pm, Chief Executive Conference Room



ADJOURN

MEETINGS

ECONOMIC DEVELOPMENT COMMITTEE MEETING

APRIL 6, 2022

6:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

FINANCE & BUDGET COMMITTEE MEETING

APRIL 6, 2022

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of April 6, 2022 was reviewed and approved in the amount of \$ _____ for FY 2022.

REPORTS

COMMITTEE OF THE WHOLE REPORT

MARCH 23, 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 1: BID OPENINGS, PUBLIC HEARINGS AND/OR PRESENTATIONS

PUBLIC HEARINGS

1. COMMUNICATION NO. [2022-99](#)

Dylan Pipinich, Planning Director requesting Council of Commissioners authorization to schedule a public hearing for March 23, 2022, on the proposed changes to the Butte-Silver Bow Zoning District Map. On Zone Change Application No. 21-000004.

HELD

2. COMMUNICATION NO. [2022-100](#)

Dylan Pipinich, Planning Director requesting Council of Commissioners authorization to schedule a public hearing for March 23, 2022, on the proposed changes to the Butte-Silver Bow Zoning District Map. On Zone Change Application No. 22-000001.

HELD



PRESENTATIONS

1.COMMUNICATION NO. [2022-112](#)

Shelby Anderson, Zero to Five BSB Project Manager requesting Council of Commissioners to for time on the March 23, 2022 agenda to propose the use of the Transit Center property on the corner of Harrison Avenue and Civic Center Road for a Learning Landscape installation.

HELD

2.COMMUNICATION NO. [2022-114](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners to for time on the March 23, 2022 agenda for Montana Facility Finance Authority to do an informational presentation regarding the C-PACE (Commercial Property Assessed Capital Enhancement Program).

HELD

SECTION 2. COMMUNICATIONS

1. COMMUNICATION NO. [2021-299](#)

Tristian Thomas, residing in Butte, MT, requesting Council of Commissioners to authorize Tristian Thomas to purchase the following property, located at 2422 Pine St., Butte, MT 59701.

HOLD IN ABEYANCE

2.COMMUNICATION NO. [2021-335](#)

Michael & Kelly Anne Hovan, 241 Williams Street, Walkerville, MT requesting Council of Commissioners authorization to purchase vacant land currently owned by BSB. The land we are hoping to acquire includes one .06-acre parcel and a segment of another 10- acre tract.

[2021-335 Attachments](#)

HOLD IN ABEYANCE

3.COMMUNICATION NO. [2022-02](#)

Melissa O'Dell, 21 Holly Lane Butte MT requesting Council of Commissioners authorization to purchase a small lot that BSB currently owns. The land owned by BSB is located at 322 W Gold, parcel number 441800 where I would like to build a small garage.

CONCUR AND PLACE ON FILE

4. COMMUNICATION NO. [2022-91](#)

Jenny Chambers, Waste Management and Remediation Division Administrator requesting Council of Commissioners concurrence to have a presentation on March 16, 2022 on the Blacktail Creek Remediation pre-design investigation phase of this project.

PLACE ON FILE

5. COMMUNICATION NO. [2022-94](#)

Cari Coe, Historic Clark Chateau Program Director requesting Council of Commissioners authorization to schedule a public hearing for March 16, 2022, concerning amending the Fiscal year 2021-2022 budget to allow for increased expenditures of unanticipated revenue in the Archives-Clark Chateau budget.

PLACE ON FILE



6. COMMUNICATION NO. [2022-99](#)

Dylan Pipinich, Planning Director requesting Council of Commissioners authorization to schedule a public hearing for March 23, 2022, on the proposed changes to the Butte-Silver Bow Zoning District Map. On Zone Change Application No. 21-000004.

PLACE ON FILE

7. COMMUNICATION NO. [2022-100](#)

Dylan Pipinich, Planning Director requesting Council of Commissioners authorization to schedule a public hearing for March 23, 2022, on the proposed changes to the Butte-Silver Bow Zoning District Map. On Zone Change Application No. 22-000001.

PLACE ON FILE

8. COMMUNICATION NO. [2022-112](#)

Shelby Anderson, Zero to Five BSB Project Manager requesting Council of Commissioners to for time on the March 23, 2022 agenda to propose the use of the Transit Center property on the corner of Harrison Avenue and Civic Center Road for a Learning Landscape installation.

PLACE ON FILE

9. COMMUNICATION NO. [2022-113](#)

Lori Baker-Patrick, BSB Treasurer requesting Council of Commissioners to schedule a public hearing on the April 6, 2022 agenda for the purpose of amending the fiscal year 2021-2022 budget to allow for increased expenditures of unanticipated revenue from the Montana Motor Vehicle Division.

HOLD IN ABEYANCE

10. COMMUNICATION NO. [2022-114](#)

J.P. Gallagher, Chief Executive requesting Council of Commissioners to for time on the March 23, 2022 agenda for Montana Facility Finance Authority to do an informational presentation regarding the C-PACE (Commercial Property Assessed Capital Enhancement Program).

PLACE ON FILE

11. COMMUNICATION NO. [2022-119](#)

Mike Boyza, Carpenters' Union Hall requesting Council of Commissioners authorization to relocate a boundary for the Carpenters Hall, located at 156 W. Granite. With this boundary relocation, you would give permission for us to build our elevator.

HOLD IN ABEYANCE

12. COMMUNICATION NO. [2022-120](#)

Mike Clague, Deputy County Attorney requesting Council of Commissioners authorization to schedule a public hearing for April 6, 2022 for the purpose of obtaining comment on amending the fiscal year 2022-2023 budget in order to receive grant funds from the BJA in the amount of \$566,110 for the Veterans Treatment Court and the BSB DUI Court to improve its operation.

HOLD IN ABEYANCE



13.COMMUNICATION NO. [2022-122](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for April 13, 2022, for the Rocker Water and Sewer Lift Station and Connection to Butte Silver-Bow's Wastewater Treatment Plant project.

HOLD IN ABEYANCE

14.COMMUNICATION NO. [2022-123](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a bid opening for April 6, 2022, for hot asphalt and polymer for the 2022 construction season.

HOLD IN ABEYANCE

15.COMMUNICATION [2022-124](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a public hearing on April 6, 2022, for Sole Source of SmartSensor Traffic Control for Traffic Lights throughout Butte. A resolution will be introduced on April 20, 2022 Regular meeting. We would like to update the traffic lights throughout the city as needed for Fiscal Years 2022, 2023 and 2024.

HOLD IN ABEYANCE

16.COMMUNICATION [2022-127](#)

Mark Neary, Public Works Director requesting Council of Commissioners authorization to schedule a public hearing on April 6, 2022, for Sole Source of UV Disinfection Replacement Materials for the Wastewater Treatment Plant (WWTP). A resolution will be introduced on April 20, 2022, Regular meeting. This is to extend this Sole Source to cover repair materials needed for the system in Fiscal Years 2022, 2023 and 2024.

HOLD IN ABEYANCE

FINANCE AND BUDGET COMMITTEE MEETING

MARCH 23, 2022

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

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 23, 2022 was reviewed and approved in the amount of \$1,373,146.98 for FY 2022.

FINANCE AND BUDGET COMMITTEE MEMBERS PRESENT/ ABSENT

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

MARCH 23, 2022

6:30 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

NO MEETING WAS HELD

JUDICIARY COMMITTEE MEETING

MARCH 23, 2022

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

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

1. RESOLUTION NO. [2022-17](#)

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AUDACITER CONSULTING, 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.

MOVE TO FINAL READING

2. ORDINANCE NO. [2022-01](#)

COUNCIL BILL NO. [2022-01](#)

AN ORDINANCE REPEALING TITLE 18 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "FLOODPLAIN REGULATIONS" Ord. 89, 1979, IN ITS ENTIRETY AND REPLACING IT WITH A NEW TITLE REFERENCING THE MODEL REGULATIONS ENTITLED "FLOODPLAIN HAZARD MANAGEMENT REGULATIONS" AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

[2022-01 Attachment 1](#)

[2022-01 Attachment 2](#)

MOVE TO SECOND READING

Name	Amount	Reason	Approved	
NONE				

JUDICIARY COMMITTEE MEMBERS

PRESENT/ABSENT

Bill Andersen, Chairman	A
Michele Shea, Vice Chairman	P
Dan Callahan	P
Hattie Thatcher	P
Eric Mankins	P
John Sorich	P

