

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING AGENDA  
WEDNESDAY, APRIL 13, 2022  
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

**ROLL CALL**

**PRAYER AND PLEDGE**

**PUBLIC COMMENT ON ANY ITEMS ON THE AGENDA**

**REPORT OF THE CHAIR**

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

**BID OPENINGS**

1.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.

**PRESENTATIONS**

1.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.

**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.



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](#)

3.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.

4.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.

5.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.

6.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.

7.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.

8.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.

9.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.



10.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.

11.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 develop 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 27, 2022.

12.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.

13.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.

14.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.

15.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.

16.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.



17.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.

18.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.

19.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](#)

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

**ADJOURN**

**MEETINGS**

**FINANCE AND BUDGET COMMITTEE MEETING**

APRIL 13, 2022

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

Expenditure report for the week of April 13, 2022 was reviewed and approved in the amount of \$ \_\_\_\_\_ 2022.

**JUDICIARY COMMITTEE MEETING**

APRIL 13, 2022

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

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.

3.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](#)

Name	Amount	Reason	Approved	
CAMERON JAMES MOYLAN, DELUXE ENTERPRISES LLC	\$370.02	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL #0001907840		
GUARDIAN TAX MT LLC	\$13,562.12	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL(S) #0000726000 #000081200 #0000324000 #0000409400 #0000495200 INTEREST ON ASSIGNMENT(S) (X5)		
MUNICIPAL CODE CORPORATION	\$374.42	6 COPIES OF SUPPLEMENT NO. 32 TO THE CODE OF ORDINANCES		

**REPORTS**

**FINANCE & BUDGET COMMITTEE MEETING REPORT**



APRIL 6, 2022

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

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

Ladies and Gentlemen,

We, your Committee of the Finance and Budget Committee, respectfully recommend as follows: Expenditure report for the week of April 6, 2022 was reviewed and approved in the amount of \$709,966.43 for FY 2022.

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

#### **ECONOMIC DEVELOPMENT COMMITTEE MEETING**

APRIL 6, 2022

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

Public comment not on Agenda: Ed Banderob.

<u>Committee Members</u>	<u>Present /Absent</u>
Michele Shea, Chair	P
Dan Callahan, Vice Chair	P
Bill Andersen	P
Justin Fortune	P
Josh O'Neill	A
Hattie Thatcher	A

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