

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
WEDNESDAY, APRIL 20, 2022
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL

PRAYER AND PLEDGE

APPROVAL OF THE MINUTES

[April 6, 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

PUBLIC HEARINGS

1.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.

PRESENTATION

1.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.

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.COMMUNICAION NO. [2022-173](#)

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 Laborers' International Union of North America, Local No. 1686 (Event and Service Workers).

[MOU](#)

Concur and Place on File

2.COMMUNICATION NO. [2022-174](#)

Ed Randall, Community Enrichment Director, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign and accept the Professional Services Agreement between Butte-Silver Bow and CCCS, Inc. for management and physical site of the Alley Rally Program. The Alley Rally program will start on May 17, 2022, and end on August 6, 2022.

[Agreement](#)

Concur and Place on File

3.COMMUNICATION NO. [2022-175](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the reappointments of Mike Thatcher and William O'Leary to the Law Enforcement Commission.

Concur and Place on File

4.COMMUNICATION NO. [2022-176](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the reappointments of Elizabeth Erickson, Bill Callaghan, Sister Mary Jo McDonald, Jon Sesso, Emmett Riordan and John McKee to the Butte Natural Resource Damage Restoration Council (BNRC).

Concur and Place on File

5.COMMUNICATION NO. [2022-177](#)

J.P. Gallagher, Chief Executive, requesting Council of Commissioners concurrence in the appointment of John Rolich to the Butte-Silver Bow Health Study Advisory Committee.

Concur and Place on File

6.COMMUNICATION NO. [2022-178](#)

Bob Lazzari, Parks and Recreation Director, requesting Council of Commissioners authorization for time on the May 11, 2022, Committee of the Whole Council of Commissioners meeting agenda to provide an informational presentation regarding the progress of the Parks and Recreation Master Plan.

Hold in Abeyance



7.COMMUNICATION NO. [2022-179](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Purchase and Sale Agreement with Stace McGee Group. The TIFID Board reviewed the agreement at their April 3, 2022 meeting and voted unanimously to recommend the Council Commissioners approve.

[Agreement](#)

Concur and Place on File

8.COMMUNICATION NO. [2022-180](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Memorandum of Understanding with the Port of Montana for an infrastructure grant for track rehabilitation work. The TIFID Board reviewed the agreement at their April 8, 2022 meeting and voted unanimously to recommend the Council of Commissioners approve.

[MOU](#)

Concur and Place on File

9.COMMUNICATION NO. [2022-181](#)

Carolina Balliew, Federal Superfund Section Supervisor, requesting Council of Commissioners authorization for time on the May 4, 2022, Regular Council of Commissioners meeting agenda for DEQ Project Officer, Dave Bowers to discuss the ongoing construction activities and answer questions that the Council of Commissioners may have.

Hold in Abeyance

10.COMMUNICATION NO. [2022-182](#)

Michael W. Harris, Citizen, requesting Council of Commissioners and Chief Executive Gallagher's authorization to purchase the property located in the Buffalo Spur Lode Subdivision, Section 12, Township 3 North, Range 8 West, the east 30 feet of west 64 feet of Lots 8 & 9 in Block 1, Parcel No. 1905610. Harris owns the house located at 33 East Summit, on the east end of lots 8 & 9. He is requesting to purchase these remaining lots to have a yard and prevent someone else from building on the property above him.

Refer to Land Sales Committee

11.COMMUNICATION NO. [2022-183](#)

Dave Aguirre, Land Records Coordinator, requesting Council of Commissioners and Chief Executive Gallagher accept the recommendation of the Land Sales Committee to DENY Communication 2021-299, thus removing their original recommendation approving Tristian Thomas to purchase City-County owned property located adjacent to his property at 2422 Pine Street, Butte, MT.

Concur and Place on File



12.COMMUNICATION NO. [2022-184](#)

Dave Aguirre, Land Records Coordinator, requesting Council of Commissioners and Chief Executive Gallagher accept the recommendation of the Land Sales Committee to DENY Communication 2021-335, thus removing their original recommendation approving Michael and Kelly Anne Hovan to purchase City-County owned property located adjacent to their property at 241 Williams Street, Butte, MT.

Concur and Place on File

13.COMMUNICATION NO. [2022-185](#)

Christine Martin, with the Clark Chateau, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign and accept the Montana History Foundation Grant Award. This grant application was previously approved in on January 5, 2022 (see Communication No. 2022-22).

[Grant Acceptance](#)

Concur and Place on File

14.COMMUNICATION NO. [2022-186](#)

Timothy Cassidy, Butte-Silver Bow Budget/Rate Analyst, requesting Council of Commissioners and Chief Executive Gallagher's authorization to draft a resolution creating lighting district 1029. A Resolution of Intent No. 2022-12 was recently passed at the March 16, 2022 Council Meeting. The notice of the passage was published in the Montana Standard on March 20, 2022 and March 27, 2022. No protests opposing the intent to create Special Improvement Lighting District 1029 have been received.

Concur and Place on File

15.COMMUNICATION NO. [2022-187](#)

Danette Gleason, Finance & Budget Director, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Subrecipient agreement, for the use of the U.S. Treasury American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds (SLFRF), between the City-County of Butte-Silver Bow and Montana Technological University, Highlands College. The ARPA Committee unanimously approved moving this grant request to the Council of Commissioners for approval.

[Agreement](#)

Concur and Place on File

16.COMMUNICATION NO. [2022-188](#)

Mike Clague, Deputy County Attorney, requesting Council of Commissioners authorization for Chief Executive Gallagher to approve and sign a contract with the Addictions Consulting Group for services provided to the Butte-Silver Bow DUI Court. The money for the contract is paid through a grant with the Montana Department of Supreme Court's Administrators Office. There is no expense to Butte-Silver Bow for the Contract.

[Contract](#)

Concur and Place on File



17.COMMUNICATION NO. [2022-189](#)

Ed Heard, Recreation & Events Coordinator, requesting Council of Commissioners authorization to allow an event on June 17, 2022, at The Original Mine Yard. The event will allow the Wolfe Tones Hurling Club to hold a pre hurling tournament draft and fundraiser for the June 18, 2022 USGAA Northwest Hurling, Gaelic Football, and Camogie Tournament.

Concur and Place on File

18.COMMUNICATION NO. [2022-190](#)

Cameron Moylan, Citizen, requesting Council of Commissioners authorization to grant Deluxe Services LLC the sole option to purchase the below-described real property and building located at 135 East Park Street, formerly known as the Majestic Saloon, for the purpose of immediate dismantlement and salvage. Deluxe Services LLC is requesting to purchase it for \$1.00 (one dollar).

Deny and Place on File

19.COMMUNICATION NO. [2022-191](#)

Mark Neary, Public Works Director, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between Butte-Silver Bow and Hollow Contracting for the 2022 season hot mix supply. This agreement allows for the purchase of hot asphalt throughout the summer season for rebuilding and repairing roads throughout Butte-Silver Bow.

[Agreement](#)

Concur and Place on File

20.COMMUNICATION NO. [2022-192](#)

Mark Neary, Public Works Director, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between Butte-Silver Bow and Copper City Asphalt for the 2022 season polymer supply. This agreement allows for the purchase of polymer throughout the summer season for rebuilding and repairing roads throughout Butte-Silver Bow.

[Agreement](#)

Concur and Place on File

21.COMMUNICATION NO. [2022-193](#)

Karen Maloughney, Health Officer, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between the Montana Department of Public Health and Human Services and the Butte- Silver Bow Health Department. This agreement is to utilize American Rescue Plan Act 2021 (ARPA) funding to allow for flexible support for the Nurse-Family partnership evidence-based home visiting model in Butte-Silver Bow and the families receiving home visiting services. The supplement is for \$1,995.00 and does not supersede nor replace any prior executed contracts, task orders, and/or their amendments that have been agreed upon by both.

[Agreement](#)

Concur and Place on File



22.COMMUNICATION NO. [2022-194](#)

Karen Maloughney, Health Officer, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between the Montana Department of Public Health and Human Services and the Butte- Silver Bow Health Department. This agreement is to provide Hepatitis C prevention activities within syringe services/harm reduction programs. Contract term is May 1, 2022 through April 30, 2023. Contract amount is \$11,200.00

[Agreement](#)

Concur and Place on File

23.COMMUNICATION NO. [2022-195](#)

Mike Archer, Director of Capital Solutions, Headwaters RC&D and BLDC, requesting Council of Commissioners approval to use Anaconda ARCO loan funds in the amount of \$221,959.00 as part of a \$881,937 total financing package to Praxis Sim Holdings, LLC which will be used to purchase the membership units in Praxis Sim Center, LLC. Loan fees and an interest reserve will be paid with other BLDC loan funds.

[Loan Agreement](#)

Concur and Place on File

24.COMMUNICATION NO. [2022-196](#)

Michele Shea, Commissioner, District #2, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign the attached Economic Development Mill Levy Contracts. On March 16, 2022, the Council of Commissioners approved the allocation of existing Economic Development Mill Levy funds to twelve organizations. Those organizations include: Montana Folk Festival, Advantage Butte, Alpha Technology, Motherlode Theater, Myra – Cabbage Patch Project, Mile High Little League, Spirit of Columbia Gardens, Dumas Brothel Project, Montana Gaelic Cultural Society, Main Street Uptown Butte – Trees Project, Pest Notify – Robert Edwards, Butte Literacy Program. The Community Development Office, in coordination with the County Attorney’s Office, completed the attached contracts that include the Council approved grant amounts.

Contracts will be provided on Monday

Concur and Place on File

25.COMMUNICATION NO. [2022-197](#)

Ed Randall, Community Enrichment Director, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign an agreement between Butte-Silver Bow and McGrath Painting and Construction LLC for remodel work in the Butte-Silver Bow Animal Shelter, prior to new kennel installation. The work will consist of prepping and applying Semco Coating to the shelter floors. The cost of this work is \$23,000.00. This work will be paid by donations made to the Butte-Silver Bow Animal Service Division.

[Attachments](#)

Concur and Place on File



26.COMMUNICATION NO. [2022-198](#)

Kristen Rosa, TIFID Administrator, requesting Council of Commissioners authorization for Chief Executive Gallagher to sign a Professional Services Agreement with the Pioner Technical for bid administration and construction oversight for the Rail Park subdivision. The TIFID Board reviewed the agreement at their April 8, 2022 meeting and voted unanimously to recommend the Council of Commissioners approve.

[Professional Services Agreement](#)

Concur and Place on File

SECTION 3: ORDINANCES AND RESOLUTIONS INTRODUCED TO JUDICIARY

1.RESOLUTION [2022-26](#)

A RESOLUTION DIRECTING THE BUTTE-SILVER BOW LAND RECORDS DEPARTMENT TO MAIL NOTICE OF PENDING TAX DEED ISSUANCE TO ALL PERSONS CONSIDERED INTERESTED PARTIES FOR EACH PROPERTY FOR WHICH THERE HAS BEEN ISSUED A TAX LIEN CERTIFICATE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 15-18-212, MCA; FURTHER DIRECTING THE TREASURER TO ISSUE A TAX DEED FOR THOSE PARCELS OF PROPERTY WHERE THERE HAS BEEN ISSUED A TAX LIEN CERTIFICATE AND THE EXPIRATION DATE OF THE REDEMPTION PERIOD HAS EXPIRED AND THE REQUIRED PAYMENTS HAVE NOT BEEN MADE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION [2022-27](#)

A RESOLUTION OF INTENT TO ESTABLISH A COMMERCIAL PROPERTY ASSESSED CAPITAL ENHANCEMENT PROGRAM (C-PACE) IN THE CITY-COUNTY OF BUTTE-SILVER BOW, MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3.RESOLUTION [2022-28](#)

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 STATE OF MONTANA MOTOR VEHICLE DIVISION TO BE USED WITHIN THE TREASURER'S MOTOR VEHICLE DEPARTMENT FOR MOTOR VEHICLE PAPER AND TONER AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

4.ORDINANCE [2022-02](#)

AN ORDINANCE AMENDING SECTION 1 OF BUTTE-SILVER BOW ORDINANCE NO. 266 AND SECTION 15.20.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); REGARDING THE VIOLATION AND PENALTY SECTION OF TITLE 15 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

Attachment



5.ORDINANCE [2022-03](#)

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY 0.687 ACRES FROM R-3 (MULTIFAMILY RESIDENTIAL) TO C-3 (CENTRAL COMMERCIAL), COMMONLY LOCATED AT THE WESTERN HALF OF BLOCK FIFTY (5), BETWEEN W MERCURY STREET AND W SILVER STREET JUST EAST OF S IDAHO STREET, IN SECTION 13, TOWNSHIP 03 NORTH, RANGE 08 WEST, OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

6.ORDINANCE [2022-04](#)

AN ORDINANCE AMENDING SECTION 17.060.030 OF BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) WHICH SECTION ADOPTED THE ZONING MAP OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR A CHANGE TO THE OFFICIAL ZONING DISTRICT MAP BY REZONING APPROXIMATELY 350 ACRES FROM NOT ZONED TO RM-1 (RURAL INDUSTRIAL), COMMONLY LOCATED IMMEDIATELY SOUTHEAST OF THE MONTANA CONNECTIONS BUSINESS DEVELOPMENT PARK, IN SECTION 36, TOWNSHIP 03 NORTH, RANGE 09 WEST OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

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

1.RESOLUTION [2022-08](#)

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 PUBLIC TO BE USED WITHIN THE HEALTH DEPARTMENT FOR DISEASE ST INTERVENTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2.RESOLUTION [2022-24](#)

A RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF REPAIR ITEMS FOR THE UV DISINFECTION SYSTEM FOR THE CITY-COUNTY OF BUTTE-SILVER BOW, METRO SEWER DIVISION, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3.RESOLUTION [2022-25](#)

A RESOLUTION AUTHORIZING THE SOLE SOURCE PURCHASE OF SMARTSENSOR TRAFFIC CONTROL SOFTWARE FOR THE CITY-COUNTY OF BUTTE-SILVER BOW, ROADS DIVISION, AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.



SECTION 6: ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

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](#)

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

CALENDAR OF OTHER MEETINGS AND EVENTS

April 21, 2022, Zoning Board, 5:30 pm, Council Chambers

April 25, 2022, Mental Health LAC, 1:00 pm, 3rd Floor, Library Bldg.

April 26, 2022, Port of Montana, 12:00 pm, Hub Center, Silver Bow

April 26, 2022, Urban Revitalization, 8:30 am, 1st Floor Conference Room

April 27, 2022, Local Emergency Planning, 12:00 pm, Butte Justice Center

April 27, 2022, South Butte TEDD, 3:30 pm, 1st Floor Conference Room

April 27, 2022, Substance Abuse Task Force, 3:30 pm, Emergency Operations Center, 3615 Wynne

April 28, 2022, Planning Board, 5:30 pm, Council Chambers

May 3, 2022, Fire Advisory Committee, 5:30 pm, Butte 1st Floor Conference Room

May 3, 2022, Historic Preservation Commission, 5:30 pm, Council Chambers

May 3, 2022, Weed Board, 7:00 pm, Weed Office, 25 West Front

May 4, 2022, Airport Authority, 12:00 pm, Bert Mooney Airport Authority Admin. Office



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

ADJOURN

MEETINGS

FINANCE & BUDGET COMMITTEE MEETING

APRIL 20, 2022

7:00 PM BUTTE-SILVER BOW COURTHOUSE CHAMBERS

Expenditure report for the week of April 20, 2022 was reviewed and approved in the amount of \$ _____ for FY 2022.

REPORTS

COMMITTEE OF THE WHOLE REPORT

APRIL 13, 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

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.

HELD

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.

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. [2022-113](#)

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.

CONCUR AND PLACE ON FILE

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.

HOLD IN ABEYANCE

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.

CONCUR AND PLACE ON FILE

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.

CONCUR AND PLACE ON FILE

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.

CONCUR AND PLACE ON FILE

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.

CONCUR AND PLACE ON FILE



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.

CONCUR AND PLACE ON FILE

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.

HOLD IN ABEYANCE

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.

HOLD IN ABEYANCE

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.

HOLD IN ABEYANCE

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.

HOLD IN ABEYANCE

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.

HOLD IN ABEYANCE



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.

CONCUR AND PLACE ON FILE

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.

HOLD IN ABEYANCE

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.

HOLD IN ABEYANCE

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.

HOLD IN ABEYANCE

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](#)

HOLD IN ABEYANCE

PUBLIC COMMENT ON ANY ITEMS 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 \$337,770.61 for FY 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.

MOVE TO FINAL READING

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.

MOVE TO FINAL READING

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](#)

MOVE TO FINAL READING

Name	Amount	Reason	Approved	
CAMERON JAMES MOYLAN, DELUXE ENTERPRISES LLC	\$370.02	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL #0001907840	YES	



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)	YES	
MUNICIPAL CODE CORPORATION	\$374.42	6 COPIES OF SUPPLEMENT NO. 32 TO THE CODE OF ORDINANCES	YES	

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

