

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
COMMITTEE OF THE WHOLE MEETING AGENDA
WEDNESDAY, APRIL 27, 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. [2022-162](#)

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.

2.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.

PUBLIC HEARINGS

1.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.



2.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.

PRESENTATIONS

1.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.

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. [2022-119](#)

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.

4.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.

5.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.



6.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.

7.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.

8.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.

9.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.

10.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.

11.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.

12.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](#)



13.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.

14.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.

15.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.

PUBLIC COMMENT ON ANY PUBLIC MATTER NOT ON THE AGENDA

ADJOURN

MEETINGS

FINANCE AND BUDGET COMMITTEE MEETING

APRIL 27, 2022

6:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

Expenditure report for the week of April 27, 2022 was reviewed and approved in the amount of \$ _____ 2022.

JUDICIARY COMMITTEE MEETING

APRIL 27, 2022

7:00 PM BUTTE SILVER-BOW COURTHOUSE CHAMBERS

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.

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.

Name	Amount	Reason	Approved	
GUARDIAN TAX MT LLC	\$857.63	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL #0000435100 INTEREST ON ASSIGNMENT		
GUARDIAN TAX MT LLC	\$1,829.66	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL #0000435100 INTEREST ON ASSIGNMENT		
GUARDIAN TAX MT LLC	\$972.27	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL #0000010900 INTEREST ON ASSIGNMENT		
GUARDIAN TAX MT LLC	\$6,798.46	REFUND/REDEMPTION OF TAX ASSIGNMENT TAKEN/PARCEL #0000109600 INTEREST ON ASSIGNMENT		

REPORTS

FINANCE & BUDGET COMMITTEE MEETING REPORT

APRIL 20, 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 20, 2022 was reviewed and approved in the amount of
\$532,855.33 for FY 2022.



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

