

3. 09-521 Robert A. Macioroski, Director Butte-Silver Bow Land Office, requesting Council's acceptance of a letter from Daniel J. Lowney for the acquisition of N28' of Lot 5, Block 7, Smith Kessler Addition in Section 12, Township 3 North, Range 8 West. **Recommendation: Concur and place on file.**
4. 09-522 Brendan R McDonough, Chairman – 2009 An Ri Ra Irish Festival, requesting Council's permission to close the alley between Park Street and Broadway Street from the West to Dakota Street on the East for the 2009 An Ri Ra Irish festival August 7th through August 9th, 2009. **Recommendation: Concur and place on file.**
5. 09-523 Pat Cross, Montana DNRC Fire Prevention Specialist, requesting Council's confirmation of the DNRC appointed Fire Wardens across the State of Montana. **Recommendation: Concur and place on file.**
6. 09-527 Jon C. Sesso, Planning Director, requesting Council's approval for Chief Executive to renew maintenance contracts with Electronic Data Systems and ESRI, 2009-2010 GPS Hardware and Software, and GIS Software and Technical Support. **Recommendation: Concur and place on file.**
7. 09-529 Jill Honer, Steve Honer, Jeffrey Honer, & Natalie Munder, requesting Council amend Butte-Silver Bow Parks and Recreation Master Plan to include the establishment and maintenance of a Greater Butte-Silver Bow Scenic Drive route. **Recommendation: Refer to Committee of the Whole, send copy to Parks and Recreation Dept, and notify the above mentioned.**
8. 09-530 Josh Peck, Interim Special Events Coordinator, requesting Council's permission for use of the Original Mine Yard for the 2009 traveling Shakespeare In The Park. **Recommendation: Concur and place on file.**
9. 09-531 Josh Peck, Interim Special Events Coordinator, requesting Council permission to use the Original Mine Yard for a Thank You BBQ event for National Folk Festival Volunteers. **Recommendation: Concur and place on file.**
10. 09-532 Paul Babb, Chief Executive, requesting Council's concurrence in the reappointments of Norlene Holt and Mike Rudolph to the Parking Commission. **Recommendation: Concur and place on file.**
11. 09-533 Paul Babb, Chief Executive, requesting Council's concurrence in the appointments of Karen Byrnes, Chuck Lee, Dave Starceвич, Jeff Williams, Dan Dennehy, Ben Pezdark, and Tim Tracy to Butte-Silver Bow Safety Committee. **Recommendation: Concur and place on file.**

12. 09-534 Paul Babb, Chief Executive, requesting Council's concurrence in the reappointments of Janet Lindh and Andrea Stierle to the Planning Board. **Recommendation: Concur and place on file.**
13. 09-535 Paul Babb, Chief Executive, requesting Council's authorization for the Chief Executive to sign contracts between Butte-Silver Bow and Montana Department of Commerce for HB 645 Local Government Infrastructure Grant, STMFG-60-CP048 and STMG-60-MP-019. **Recommendation: Concur and place on file.**
14. 09-536 Patty Boggs, Health Coordinator North American Indian Alliance, requesting Council's permission to hold the annual POW-WOW on September 18th and 19th, 2009 and the AIDS Fun Run on September 18th, 2009 at the Civic Center. **Concur and grant any fee waivers that are necessary, place on file.**
15. 09-537 Eileen Joyce, County Attorney, requesting Council's approval to retain outside legal counsel to defend Butte-Silver Bow in a lawsuit filed against Butte-Silver Bow's Local Government Insurance Committee by Escar L. Terry under ERISA. **Recommendation: Concur and place on file.**
16. 09-538 Lindsey Ide, Interim Personnel Director, requesting Council's concurrence to ratify Rehabilitation Plan between Butte-Silver Bow and IBEW Local 233 Eighth District Electrical Pension Fund and authorize the Chief Executive to sign addendum. **Recommendation: Concur and place on file.**
17. 09-539 Dave Fawcett & Members of the Technical Review Committee for the Butte-Silver Bow Archives Renovation and Vault Addition Project, requesting Council's approval of Change Order request for the Archives Renovation and Vault Project. **Recommendation: Concur and place on file.**
18. 09-541 Lori Casey, Senior Planner, requesting Council's conditional approval of the Preliminary Plat of the Riverbend Minor Subdivision. **Recommendation: Refer to Judiciary.**
19. 09-542 Lori Casey, Senior Planner, requesting Council's approval of the proposed revisions and new fee schedule to Butte-Silver Bow Subdivision Regulations and prepare an ordinance adopting the approved revisions. **Recommendation: Refer to Judiciary.**
20. 09-543 Stephen D Hess, Assistant Planning Director, requesting Council's approval of Zoning Application No. 164 and prepare an ordinance adopting the proposed change to the Butte-Silver Bow Zoning District Map. **Recommendation: Refer to Judiciary.**

21. 09-546 Rick Griffith, Airport Manager, requesting letters of support from Council for consideration of the Small Community Air Service Grant for Bert Mooney Airport. **Recommendation: Concur and place on file.**
22. 09-547 Dave Palmer, Council of Commissioners, District No. 12, requesting Council's approval for the Council Chairman and the Chief Executive to sign a letter to Mr. Tom Tidwell, Chief of U.S. Forest Service supporting Move MSTI Group. **Recommendation: Concur and place on file.**
23. 09-548 Roger Ebner, Emergency Management Coordinator, requesting Council's approval to accept U.S. Department of Transportation-Hazardous Materials Emergency Planning Grant and authorize Chief Executive sign the award agreement. **Recommendation: Concur and place on file.**

SECTION III COMMUNICATIONS TO BE READ AND ACTED UPON

1. 09-544 Dave Palmer, Council of Commissioners, District No. 12, requesting Council's approval to contract with "All Montana Productions, LLC" to film the Community Wide Forum at Butte Civic Center on August 13, 2009.
2. 09-545 Donald Kronenberger, Sr., Council of Commissioners, District No. 5, letter of resignation as Butte-Silver Bow Commissioner, District 5, effective immediately.

SECTION IV ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY

**1. COUNCIL BILL NO. 09-05
ORDINANCE NO. 09-05**

AN ORDINANCE AMENDING SECTION 1 OF BUTTE-SILVER BOW ORDINANCE NO. 178 AND CHAPTER 16.04 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "SUBDIVISION REGULATIONS;" AMENDING SECTION 16.04.010, B-SB MC ENTITLED "REGULATIONS ADOPTED BY REFERENCE;" PROVIDING FOR AMENDMENTS TO THE FOLLOWING SECTIONS: SECTION 1: GENERAL; SECTION 2: SUBDIVISION CLASSIFICATION AND PROCEDURES; SECTION 5: FINAL PLAT; SECTION 6: MINOR SUBDIVISION; APPENDIX A: FIRE PROTECTION STANDARDS; AND AMENDING AND RENAMING SECTIONS: SECTION 3: PREAPPLICATION PROCESS; SECTION 4: PRELIMINARY PLATS; SECTION 7: MAJOR SUBDIVISIONS; SECTION 8: SUBDIVISION EXEMPTIONS; SECTION 9: SUBDIVISION EXEMPTION

DETERMINATION; SECTION 10: SPECIAL SUBDIVISIONS; SECTION 11: DESIGN STANDARDS; SECTION 12: REQUIRED IMPROVEMENTS; SECTION 13: GUARANTEE OF PUBLIC IMPROVEMENTS; SECTION 14: DEDICATION OF PUBLIC PARKS AND OPEN SPACE; SECTION 15: UNIFORM STANDARDS FOR MONUMENTATION, CETIFICATES OF SURVEY AND FINAL SUBDIVISION PLATS; SECTION 16: FLOOD HAZARD EVALUATION; SECTION 17: ENVIRONMENTAL ASSESSMENT; SECTION 18: ADMINISTRATIVE PROVISIONS; AND CREATION OF SECTION 19: ADOPTION; APPENDIX B: ADMINISTRATIVE MATERIALS; PROVIDING FOR THE REPEAL OF ALL PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. **COUNCIL BILL NO. 09-06**
ORDINANCE NO. 09-06

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 AN AREA PRESENTLY ZONE R-1S (SINGLE-FAMILY SUBURBAN RESIDENCE) TO M-2 (HEAVY INDUSTRIAL) LEGALLY DESCRIBED AS ALL OF GOVERNMENT LOT 2, LOT 1 EXCEPT EAST PORTION, EAST PORTION OF LOT 1, PORTIONS OF THE BRILLANT #3088, AND PORTION OF TRACT B, COS 866-B, ALL SITUATED IN THE NE1/4 OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 8 WEST, OF THE P.M.M OF THE CTIY 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.

3. **COUNCIL RESOLUTION NO. 09-51**

A RESOLUTION VACATING, CLOSING, DISCONTINUING AND ABANDONING A PORTION OF CALIFORNIA STREET ADJACENT OT LOTS 8-11, BLOCK 12 OF THE NOYES AN UPTON RAILROAD ADDITION NO. 2, AND ADJACENT TO LOTS X, 2K, NORTH STAR, SOUTH STAR AND JANUARY LODES TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PRESCRIBING THE EFFECTIVE DATE OF THIS RESOLUTION AND FINDING THE NECESSARY FACTS HEREIN.

4. **COUNCIL RESOLUTION NO. 09-52**

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE RIVERBEND MONOR 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.

SECTION VII CALENDAR OF OTHER MEETINGS AND EVENTS

August 6	Zoning Board of Adjustment	5:30 PM	Council Chambers. 3 rd Floor Courthouse
August 6	Civic Center	5:00 PM	Civic Center Hospitality Room
August 10	Airport Authority	Noon	Bert Mooney Airport Admin Office
August 10	Archives	Noon	Archives Center 17 W Quartz
August 12	Fair Board	5:30 PM	Business Development Center
August 12	Law Enforcement Commission	4:00 PM	Chief Executive's Conference Room
August 12	Library	5:00 PM	2 nd or 3 rd Floor – Library Building
August 18	Housing Authority	5:30 PM	Silver Bow Homes Housing
August 18	Parks & Recreation	4:14 PM	Civic Center Conference Room
August 18	Technical Review Committee	1:30 PM	3 rd Floor Conference Water Co. Bldg
August 19	TIFID Board	11:30 AM	Business Development Ctr. Board Rm.
August 19	Community Enrichment	10 AM	Health Department

ADJOURN

COMMITTEE OF THE WHOLE MEETING REPORT

JULY 29, 2009

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 I COMMUNICATION NO. 09-354

Dave Palmer, Chairman Council of Commissioners, requesting county-wide forum be held at the Butte Civic Center to organize our citizens to take back our community. *Committee recommends that Communication 09-354 be held in abeyance.*

SECTION II COMMUNICATION NO. 09-365

Mike Sheehy, Commissioner District 10, requesting support on an ordinance that would make all new transmission line within our county be buried from border to border. *Committee recommends that Communication 09-365 be held in abeyance.*

SECTION III COMMUNICATION NO. 09-390

Phyllis Ruana, Director of Animal Services, regarding information packet regarding department and overview of past and future goals for Council review. *Committee recommends that Communication 09-390 be held in abeyance.*

SECTION IV COMMUNICATION NO. 09-482

Jeff Ammerman, Finance and Budget Director requesting time on July 1, 2009 agenda for brief presentation on the budget process and budget schedule. *Committee recommends that Communication 09-482 be held in abeyance.*

SECTION V COMMUNICATION NO. 09-513

Dave Palmer, Commissioner District 12 requesting Chief Executive appoint a committee to explore designating an area of the Historic District as a Repository for Historic Structures to be demolished. *Committee recommends that Communication No. 09-513 be held in abeyance pending a report from the Historic District.*

**FINANCE AND BUDGET COMMITTEE MEETING REPORT
JULY 29, 2009**

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:

SECTION I COMMUNICATION NO. 09-495

Kathy Dunks, Director of Operations, Butte Offices of Western MT Mental Health Center requesting Council authorize Chief Executive sign “Memorandum of Understanding” for Butte Silver Bow to provide emergency detention and protective custody services for individuals suffering from a mental health crisis. *Recommendation: Refer to Finance and Budget Committee.*

SECTION II EXPENDITURE REPORT

7/29/09	\$ 258,358.17
7/29/09	\$ 263,136.72

Committee recommends expenditures be approved and placed on file.

SECTION IV COUNCIL RESOLUTION NO. 09-50

A RESOLUTION ACCEPTING THE DONATION AND MAINTENANCE OF BLACKTAIL LOOP ROAD, LOCATED IN SECTION 4 AND THE NORTH HALF OF SECTION 9, TOWNSHIP 2 NORTH, RANGE 7 WEST P.M.M., TO THE CITY AND COUNTY OF BUTTE-SILVER, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends Council Resolution No. 09-50 be moved to final reading.*

SECTION V CLAIM APPROVAL

12534 Nathan Jones	\$125.00	ACT class refund
12806 Shirley Smith	\$170.00	Highland golf course refund
13086 Jim Dick	\$400.00	Demo bond refund
13136 Helen Turk	\$201.1	Fee refund

Committee recommends all claims be approved as presented except denied claim # 12534.

RULES COMMITTEE MEETING REPORT

JULY 8, 2009

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

Ladies and Gentlemen:

We, your Rules Committee respectfully recommend as follows:

SECTION 1 COMMUNICATION 09-484

Terry Schultz, District 4 Council of Commissioners requesting rescinding Rule XX of Rule and Order of Business of the Council of Commissioners of Butte Silver Bow of Montana. *Committee did not meet – as per Mike Sheehy – meeting is re-scheduled for August 26, 2009 at 6:00 PM.*

SECTION II COMMUNICATION NO. 09-494

Terry Schultz, District 4 Council of Commissioners requesting Rule XXIX require a 2/3 majority of Commissioners and that the Council affirm, by 2/3 majority vote, The Rules and Order of Business of the Council of Commissioners of Butte-Silver Bow, State of Montana. *Committee did not meet – as per Mike Sheehy – meeting is re-scheduled for August 26, 2009 at 6:00 PM.*