

**BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS
REGULAR MEETING AGENDA
OCTOBER 19, 2011
7:30 PM COURTHOUSE COUNCIL CHAMBERS**

ROLL CALL _____

PRAYER _____

APPROVAL OF THE MINUTES OF THE REGULAR MEETING, OCTOBER 5, 2011
and the Special Meeting of October 12, 2011.

ITEMS NOT ADDRESSED ON THE AGENDA _____

PUBLIC COMMENT ON ANY PUBLIC MATTER
NOT ON THE AGENDA _____

CHIEF EXECUTIVE'S REPORT _____

SECTION I BID OPENING

TO ACCEPT SEALED BIDS FOR A WATER TENDER APPARATUS FOR THE HOME
ATHERTON VOLUNTEER FIRE DEPARTMENT. (Communication No. 11-561 being held in the
Committee of the Whole). **Proof of Publication.**

SECTION II REQUEST FOR PROPOSALS

FOR THE PURPOSE OF RECEIVING SEALED PROPOSALS FOR ALLOCATION OF THE
ONE MILL LEVIED BY THE CITY-COUNTY FOR FY 2011-2012 ECONOMIC DEVEL-
OPMENT MILL LEVY FUNDS. (Communication No. 11-546 being held in Committee of the
Whole). **Proof of publication.**

SECTION III CONSENT AGENDA

- A.
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
 3. JUDICIARY COMMITTEE MEETING REPORT
 4. PUBLIC WORKS COMMITTEE MEETING REPORT

B. COMMUNICATIONS

1. [11-584](#) Karen Hassler, Butte-Silver Bow Public Works Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
2. [11-585](#) Gary Keeler, Butte-Silver Bow Transit Manager, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance**

- and Budget Committee.*
3. [11-586](#) Pat Holland, Manager, Butte-Silver Bow Government Buildings, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 4. [11-587](#) Dori Skrukrud, NRDP Greenway Project, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 5. [11-588](#) Ed Randall, Manager, Butte-Silver Bow Community Enrichment/Animal Services, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 6. [11-589](#) Elaine Holm, Butte-Silver Bow Health Department, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 7. [11-590](#) Kristen Rosa, TIFID Administrator, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 8. [11-594](#) Geneta Bishop, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 9. [11-595](#) Lee Phillips, Butte-Silver Bow Public Library, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 10. [11-596](#) Debra Williams, Butte-Silver Bow J.P. Court II, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 11. [11-597](#) Steve McGowan, Butte-Silver Bow Clerk of the Court Office, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 12. [11-598](#) Karen Hassler, Butte-Silver Bow Public Works Department, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 13. [11-599](#) Jon Sesso, Director, Butte-Silver Bow Planning Department, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***
 14. [11-600](#) Linda Sajor, Manager, Butte-Silver Bow IT Department, requesting Council's authorization of a budget transfer. ***Recommendation: Refer to the Finance and Budget Committee.***

15. [11-601](#) Elaine Holm, Butte-Silver Bow Health Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
16. [11-602](#) Elaine Holm, Butte-Silver Bow Health Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
17. [11-603](#) Elaine Holm, Butte-Silver Bow Health Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
18. [11-604](#) Shelly Jones, Chief Executive's Office, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
19. [11-605](#) Linda Sajor, Manager, Butte-Silver Bow IT Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
20. [11-606](#) Karen Hassler, Butte-Silver Bow Public Works Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
21. [11-607](#) Nancy Barry, Butte-Silver Bow Council of Commissioners, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
22. [11-608](#) Theresa Hocking, Director, Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign five contracts with Montana Department of Public Health and Human Services, Boyd Andrew Management Services, and Melrose School. **Recommendation: Concur and place on file.**
23. [11-609](#) Chief Executive Paul Babb requesting Council's concurrence in reappointments to the Anaconda/ARCO Loan Committee. **Recommendation: Concur and place on file.**
24. [11-610](#) Linda Sajor, Manager, Butte-Silver Bow Information Services and Technology Department, requesting Council's authorization for the Chief Executive to sign a lease agreement with Addco Office Systems. **Recommendation: Concur and place on file.**
25. [11-611](#) Robert Macioroski, Director, Butte-Silver Bow Land Sales Office, requesting Council schedule a public hearing November 2, 2011 to solicit public comment on redevelopment proposals received for 36 W. Center Street, Walkerville, Montana. **Recommendation: Concur and schedule public**

hearing for November 2, 2011.

26. [11-612](#) Robert Macioroski, Director, Butte-Silver Bow Land Sales Office, requesting Council schedule a public hearing November 2, 2011 to solicit public comment on redevelopment proposals received for 328 E. Broadway Street, Butte, Montana. **Recommendation: Concur and schedule public hearing for November 2, 2011.**
27. [11-613](#) George Everett, Executive Director, Mainstreet Uptown Butte, requesting Council's authorization of requests to accommodate the 21st Annual Butte Christmas Stroll. **Recommendation: Concur and place on file.**
28. [11-614](#) Theresa McCarthy, Manager, Housing and Supportive Services Division, Human Resources Council District XII, requesting Council's authorization for the Chief Executive to sign a contract with Human Resources Council District XII. **Recommendation: Concur and place on file.**
29. [11-615](#) Kathy Dunks, Director of Operations, Western Montana Mental Health Center, requesting Council's authorization for the Chief Executive to sign a contract with Western Montana Mental Health Center. **Recommendation: Concur and place on file.**
30. [11-616](#) Sheriff John Walsh, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization for the Chief Executive to sign the STEP Grant Contract. **Recommendation: Concur and place on file.**
31. [11-617](#) Cathy Maloney, Butte-Silver Bow Superintendent of Schools, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
32. [11-618](#) Geneta Bishop, Butte-Silver Bow Law Enforcement Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
33. [11-620](#) Dave Palmer, Chairman, Butte-Silver Bow Council of Commissioners, requesting Council's concurrence in a reappointment to the Butte-Silver Bow Planning Board. **Recommendation: Concur and place on file.**
34. [11-621](#) Sheryl Ralph, District 2 Commissioner, Butte-Silver Bow Council of Commissioners, requesting Council's authorization to terminate the Memorandum of Understanding with the Butte Events Team (BET) and to draft a new agreement. **Recommendation: Refer to the Committee of the Whole.**
35. [11-622](#) Jeff Amerman, Director, Butte-Silver Bow Finance and Budget Department, requesting time on the October 26, 2011 agenda for a presentation regarding recent bond activity at Butte-Silver Bow. **Recommendation: Concur and schedule presentation for October 26, 2011.**
36. [11-623](#) Jeff Amerman, Director, Butte-Silver Bow Finance and Budget Department, requesting Council's authorization for the Chief Executive to sign an

engagement letter with Actuaries Northwest. **Recommendation: Concur and place on file.**

37. [11-624](#) Jerry Jordan, Superintendent, Jordan Contracting, requesting Council's permission to close Ruby Street west of Main Street to Sutter Street October 20, 2011 through November 11, 2011. **Recommendation: Concur and place on file.**
38. [11-625](#) Shelby DeMars, Drive Our Economy, requesting Council's consideration of a Resolution supporting Trucking and Transportation of Large Loads in Silver Bow County. **Recommendation: Refer to the Judiciary Committee.**
39. [11-626](#) Cam Cooper, Marie Garrison, Deb Hanneman, Bill Petrovish and Rob Thomas, Concerned Citizens Montana Executive Committee, requesting Council's consideration of concerns regarding the Northwestern Energy sponsored MSTI Review Project. **Recommendation: Refer to the Committee of the Whole.**

SECTION IV COMMUNICATIONS TO BE READ AND ACTED UPON

[11-591](#) Jerry Vercella, NorthWestern Energy, requesting Council's approval of an application for the closure of the intersection of N. Main and Woolman Streets the week of October 24, 2011.

[11-619](#) Chief Executive Paul Babb requesting Council's authorization to request an extension from the State Social Security Administrator to extend the Section 218 Referendum Vote past November 1, 2011.

SECTION V ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY

COUNCIL RESOLUTION NO. [11-71](#)

RESOLUTION RELATING TO \$4,860,000 WATER SYSTEM REVENUE BONDS (DNRC DRINKING WATER STATE REVOLVING LOAN PROGRAM), CONSISTING OF \$500,000 SUBORDINATE LIEN TAXABLE SERIES 2011A BOND AND \$4,360,000 SUBORDINATE TO NET REVENUE LIEN SERIES 2011B BOND; AUTHORIZING THE ISSUANCE AND FIXING THE TERMS AND CONDITIONS THEREOF; AND PROVIDING FOR THE SERIES 2011B BOND TO CONVERT FROM A SUBORDINATE LIEN BOND TO A BOND HAVING A FIRST LIEN ON THE NET REVENUES IN THE FUTURE.

SECTION VI

**ORDINANCES
SECOND READING**

- 1. COUNCIL BILL NO. [11-10](#)
ORDINANCE NO. 11-10**

AN ORDINANCE AMENDING SECTION 2 OF BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

- 2. COUNCIL BILL NO. [11-11](#)
ORDINANCE NO. 11-11**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCE NO. 354 AND CHAPTER 2.76 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “FRIENDS OF THE URBAN FOREST BOARD”; AMENDING SECTION 2.76.050 ENTITLED “ESTABLISHMENT” AND SECTION 2.76.060 ENTITLED “APPOINTMENT-TERM-VACANCY” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VII

**ORDINANCES AND RESOLUTIONS
FINAL READING**

- 1. COUNCIL RESOLUTION NO. [11-66](#)**

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF TWO PARCELS OF REAL PROPERTY DESCRIBED AS LOT 17A AND LOT 20A IN BLOCK ONE (1) OF THE CENTERVILLE UPON THE SNOOZER LODGE #695, LOCATED IN SECTION 12, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNERS PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

- 2. COUNCIL RESOLUTION NO. [11-67](#)**

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF A PARCEL OF REAL PROPERTY DESCRIBED AS LOT TWELVE (12) IN BLOCK SIX (6) OF THE BUTTE TOWNSITE ADDITION, LOCATED IN SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNERS PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

3. COUNCIL RESOLUTION NO. [11-68](#)

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF TWO PARCELS OF REAL PROPERTY DESCRIBED AS LOT 2 IN BLOCK FIVE (5) OF THE CENTERVILLE UPON THE SNOOZER LODGE #695, LOCATED IN SECTION 12, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNERS PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VIII CALENDAR OF OTHER MEETINGS AND EVENTS

October 20 Community Enrichment	2:00 p.m.	1 st Floor Conference Room
October 20 Zoning Board of Adjustment	5:30 p.m.	Council Chambers, 3 rd Floor, Courthouse
October 26 Local Emergency Planning Comm.	Noon	1 st Floor Conference Room
October 26 Parking Commission	9:00 a.m.	Chief Executive's Conference Room
October 26 Port of Montana	Noon	Port of Montana
October 27 Business Development Center	10:00 a.m.	Business Development Center
October 27 Planning Board	7:00 p.m.	Council Chambers, 3 rd Floor, Courthouse
November 1 Historic Preservation Commission	5:30 p.m.	Archives Center, 17 W Quartz
November 1 Weed Board	7:00 p.m.	Weed Department
November 2 Archives	Noon	Archives Center, 17 W Quartz
November 2 Butte Aids Support Services	7:00 p.m.	Community Center
November 2 Board of Health	7:00 a.m.	Health Department

ADJOURN _____

SECTION XIII

COMMUNICATION NO. [11-560](#)

Sarah Weber, Executive Director, Safe Space, Inc., Suited for Success Thrift Store, requesting Council's authorization of a business license fee waiver for Suited for Success Thrift Store, a non-profit 501 (c) 3 organization. *Committee recommends to concur with the request of Communication No. 11-560 and place on file.*

SECTION XIV

COMMUNICATION NO. [11-561](#)

Jeffrey Miller, Director, Butte-Silver Bow Fire Services, requesting Council's authorization to schedule a bid opening on October 19, 2011. *Committee recommends that Communication No. 11-561 be held in abeyance.*

SECTION XV

COMMUNICATION NO. [11-566](#)

Josh Peck, Secretary, Butte Events Team, requesting time at the October 12, 2011 Committee of the Whole Meeting for a presentation regarding the 2011 Report on Activities and Finances of the Butte Events Team. *Committee recommends that Communication No. 11-566 be placed on file.*

Elaine Holm, Butte-Silver Bow Health Department, requesting Council's authorization of a budget transfer. *Committee recommends to approve Communication No. 11-571 and place on file.*

SECTION VII **COMMUNICATION NO. [11-572](#)**

Ellen Crain, Manager, Butte-Silver Bow Public Archives, requesting Council's authorization of a budget transfer. *Committee recommends to approve Communication No. 11-572 and place on file.*

SECTION VIII **COMMUNICATION NO. [11-575](#)**

Pat Holland, Manager, Butte-Silver Bow Government Buildings, requesting Council's authorization of a budget transfer. *Committee recommends to approve Communication No. 11-575 and place on file.*

Expenditure report for the week of October 12, 2011 was approved for the amount of \$1,722,424.43.

COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA TO THE ADJOINING OWNERS PURSUANT TO POLICIES ADOPTED BY THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. *Committee recommends that Council Resolution No. 11-68 be moved to final reading.*

SECTION X CLAIM APPROVAL

Committee recommends all claims be approved as presented.

**PUBLIC WORKS COMMITTEE MEETING REPORT
OCTOBER 12, 2011**

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

Ladies and Gentlemen:

We, your Public Works Committee, respectfully recommend as follows:

SECTION I PETITION NO. [11-1](#)

John Harrington, Building Official, requesting on behalf of (WET), Water and Environmental Technologies, LLC, to close and vacate a portion of the East-West Alley located in Block 12 of the Leggat and Foster Addition, Section 18, T3N, R7W. *Committee recommends that Petition No. 11-1 be cross-referenced with Resolution No 11-42 and be placed on file.*

SECTION II COMMUNICATION NO. [11-518](#)

Ristene Hall, Butte-Silver Bow Council of Commissioners, District No. 8, requesting Council's consideration of installation of lighting in the south end of Clark's Park. *Committee recommends that Communication No. 11-518 be held in abeyance, waiting for additional information from Northwestern Energy.*

