

3. [10-525](#) Dave Fawcett, Chair, Butte-Silver Bow Archives Renovation and Vault Addition, requesting Council's authorization for the Chief Executive to sign a Certificate of Survey for the Butte-Silver Bow Public archives Renovation and Vault Addition parking lot. **Recommendation: Concur and place on file.**
4. [10-526](#) Karen Byrnes, Director, Butte-Silver Bow Community Development Department, requesting Council's authorization for the Chief Executive to sign HOME Contract Agreement for the Meadowlands Apartments. **Recommendation: Concur and place on file.**
5. [10-527](#) Teri Hocking, Director Butte-Silver Bow Health Department, requesting Council's authorization for the Chief Executive to sign two contracts with private entities. **Recommendation: Concur and place on file.**
6. [10-528](#) John Moodry, supervisor, Butte-Silver Bow Weed Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
7. [10-529](#) Dave Cunningham, Operations Manager, Services Division, Butte-Silver Bow Public Works Department, requesting Council's approval to change Massachusetts Street to a ONE WAY from Ottawa to B Street. **Recommendation: Refer to the Public Works Committee.**
8. [10-530](#) Kristen Rosa, TIFID Administrator, requesting Council's authorization for the Chief Executive to sign an amendment to the Purchase and Sale Agreement between William Charles and Butte-Silver Bow. **Recommendation: Concur and place on file.**
9. [10-531](#) Mike Sheehy, Commissioner District No. 10, requesting Council's approval to create a special mining tax. **Recommendation: Refer to the Judiciary Committee.**
10. [10-532](#) Jon Sesso, Director Butte-Silver Bow Planning Department, requesting Council's authorization of a budget transfer. **Recommendation: Refer to the Finance and Budget Committee.**
11. [10-533](#) Terry Schultz, Commissioner District No. 4, requesting Council's consideration of a land swap. **Recommendation: Refer to the Land Sales Committee.**
12. [10-534](#) Dan Harrington, President Harrington Surgical Supply, Inc. requesting Council take immediate measures to remove the obstruction and reopen the North-South alley of Granite behind the Sears Building. **Recommendation: Refer to the Public Works Committee.**

SECTION III

COMMUNICATIONS TO BE READ AND ACTED UPON

10-524 James H. Davison, Executive Director, Headwaters RC&D Area, Inc., requesting time on the September 15, 2010 agenda to make a presentation regarding the activities of Headwaters RC&C Area, Inc.

SECTION IV

ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY

**COUNCIL BILL NO. 10-8
ORDINANCE NO. 10-8**

AN ORDINANCE AMENDING BUTTE-SILVER BOW ORDINANCES NO. 195, 398, 195, 04-5 AND 266 AND TITLE 15 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “BUILDINGS AND CONSTRUCTION”; AMENDING CHAPTER 15.04 ENTITLED “BUILDING CODE”; AMENDING CHAPTER 15.07 ENTITLED “INTERNATIONAL EXISTING BUILDING CODE”; AMENDING CHAPTER 15.14 ENTITLED “MECHANICAL CODE”; AMENDING CHAPTER 15.15 ENTITLED “INTERNATIONAL FUEL CODE”; AMENDING CHAPTER 15.16 ENTITLED “PLUMBING CODE”; AMENDING SECTION 15.18.010 ENTITLED “ELECTRICAL CODE” AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION V

SUSPENSION OF THE RULES FOR FINAL PASSAGE

COUNCIL RESOLUTION NO. 10-66

A RESOLUTION ESTIMATING AS NEAR AS POSSIBLE THE COST OF MAINTAINING SPECIAL IMPROVEMENT DISTRICTS NUMBER 401 AND NUMBER 402 FOR THE PURPOSE OF FIRE HYDRANT RENTAL WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE FISCAL YEAR 2010 – 2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-67

A RESOLUTION LEVYING SPECIAL ASSESSMENTS TO PAY THE COSTS OF LIGHTING WITHIN THE SPECIAL IMPROVEMENT DISTRICTS ENUMERATED BY THIS RESOLUTION WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR FISCAL YEAR 2010 – 2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-68

A RESOLUTION FIXING AND ESTABLISHING SEWER RATES AND SERVICE CHARGES FOR THE OPERATION AND MAINTENANCE OF THE METRO SEWER SANITARY AND STORM SEWER SYSTEM AND FOR THE OPERATION AND MAINTENANCE OF THE METRO SEWER TREATMENT PLANT BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, MONTANA FOR FISCAL YEAR 2010-2011; FIXING AND ESTABLISHING AN ADDITIONAL CHARGE FOR A CAPITAL

IMPROVEMENT FUND TO DEFRAY THE COST OF ENVIRONMENTALLY MANDATED IMPROVEMENTS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-69

A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE FISCAL YEAR 2010 – 2011 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE COLLECTED AND REMOVED FROM EACH INDIVIDUAL DWELLING COLLECTION UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF COLLECTING AND REMOVING SAID SOLID WASTE; LEVYING A LANDFILL FACILITY ACCESS FEE FOR THE FISCAL YEAR 2010 – 2011 AGAINST THE PROPERTY FROM WHICH SOLID WASTE IS TO BE DISPOSED OF FOR EACH INDIVIDUAL DISPOSAL UNIT FOR THE PURPOSE OF DEFRAYING THE COST AND EXPENSES OF MAINTAINING AND OPERATING SAID SOLID WASTE DISPOSAL FACILITY AND ESTABLISHING A SCHEDULE OF FEES FOR SUCH ASSESSMENT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-70

A RESOLUTION APPROVING THE INCREASE IN THE SOLID WASTE DISPOSAL FEES FOR THE DIVIDE REFUSE DISPOSAL DISTRICT AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-71

A RESOLUTION FIXING THE RATE OF ASSESSMENT TO FINANCE THE COST OF EACH STREET MAINTENANCE DISTRICT WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA, FOR THE FISCAL YEAR 2010 – 2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-72

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF BUTTE ELEMENTARY SCHOOL DISTRICT NO. 1 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-73

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF BUTTE (COUNTY) HIGH SCHOOL DISTRICT NO. 1 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-74

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF DIVIDE ELEMENTARY SCHOOL DISTRICT NO. 4 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-75

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF MELROSE ELEMENTARY SCHOOL DISTRICT NO. 5 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-76

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF RAMSAY ELEMENTARY SCHOOL DISTRICT NO. 3 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-77

A RESOLUTION FIXING THE TAX LEVY FOR THE VARIOUS FUNDS OF THE JOINT THE JOINT ELEMENTARY DISTRICTS NO. 1-4 AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-78

A RESOLUTION FIXING THE MANDATORY TAX LEVY FOR VARIOUS COUNTY WIDE FUNDS OF THE SCHOOL DISTRICTS WITHIN THE CITY AND COUNTY OF BUTTE-SILVER BOW AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FIXCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-79

A RESOLUTION ADOPTING THE FINAL BUDGET OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA FOR THE FISCAL YEAR 2010-2011 AND SETTING LEVIES FOR FISCAL YEAR 2010 – 2011 BASED ON THE VALUE OF A MILL OF \$49,174.00 CITY-COUNTY WIDE AND DECLARING THAT ALL PROTESTS AGAINST SAID BUDGET HAVE BEEN HEARD AND DISPOSED OF; DECLARING THAT SAID BUDGET CONTAINS A CORRECT STA-

TEMENT OF THE AMOUNT TO BE APPROPRIATED FOR EACH OF THE FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW FOR THE FISCAL YEAR BEGINNING ON THE 1ST DAY OF JULY, 2010 AND ENDING ON THE 30TH DAY OF JUNE, 2011, AS FIXED IN SAID BUDGET PASSED ON THE 15TH DAY OF SEPTEMBER, 2010 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-80

A RESOLUTION FIXING THE MANDATORY TAX LEVIES FOR THE VARIOUS FUNDS OF THE STATE OF MONTANA AT THE RATE WHICH WILL RAISE THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010-2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-81

A RESOLUTION FIXING THE TAX LEVY OR SERVICE CHARGE FOR THE VARIOUS FUNDS OF THE CITY AND COUNTY OF BUTTE-SILVER BOW AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY OR SERVICE CHARGE FOR EACH FUND FOR FISCAL YEAR 2010 – 2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

COUNCIL RESOLUTION NO. 10-82

A RESOLUTION FIXING THE TAX LEVY FOR THE TOWN OF WALKERVILLE, STATE OF MONTANA AT A RATE WHICH WILL RAISE THE AMOUNT SET OUT IN THE FINAL BUDGET AS THE AMOUNT NECESSARY TO BE RAISED BY TAX LEVY FOR EACH FUND FOR FISCAL YEAR 2010 – 2011 AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI CALENDAR OF OTHER MEETINGS AND EVENTS

September 16 Zoning Board of Adjustment	5:30 PM	Council Chambers, 3 rd Floor, Courthouse
September 20 Airport Authority	Noon	Bert Mooney Airport
September 21 Parks and Recreation	4:15 PM	Civic Center Conference Room
September 21 Housing Authority	5:30 PM	Silver Bow Homes Housing
September 21 Technical Review	1:30 PM	3 rd Floor Conference Room, Water Bldg.
September 22 Local Emergency Planning Comm.	Noon	1 st Floor Conference Room
September 22 Parking Commission	9:00 AM	Chief Executive’s Conference Room
September 22 Port of Montana	Noon	Hub Center, Silver Bow, Montana
September 23 Business Development Center	10:00 AM	Business Development Center
September 30 Planning Board	7:00 PM	Council Chambers, 3 rd Floor, Courthouse
October 5 Historic Preservation Commission	5:30 PM	1 st Floor Conference Room
October 5 Weed Board	7:00 PM	Weed Department
October 6 Butte Aids Support Services	7:00 PM	Community Center
October 6 Board of Health	7:00 AM	Health Department

ADJOURN

COMMITTEE OF THE WHOLE MEETING REPORT

SEPTEMBER 8, 2010

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 PUBLIC HEARING

NOTICE OF PASSAGE OF CITY AND COUNTY OF BUTTE-SILVER BOW PRELIMINARY BUDGET 2010-2011 AND SETTING DATE FOR PUBLIC HEARING. (Communication No. 10-517 being held in Committee of the Whole) **Proof of Publication noted. *Committee recommends to hold Communication No. 10-517 in Committee of the Whole and continue the Public Hearing.***

SECTION II PUBLIC HEARING

TO HEAR PUBLIC COMMENT REGARDING A SAFETY PROJECT FOR THE MASSACHUSETTS, OTTAWA AND FLORENCE INTERSECTION. (Communication No. 10-502 being held in Committee of the Whole). **Proof of Publication noted. *Committee recommends that Communication No. 10-502 be placed on file.***

SECTION III PRESENTATION COMMUNICATION NO. 10-506

Earl J. Dodd, President and CEO of Rocky Mountain Supercomputing Centers, requesting Council's authorization for time on the September 8, 2010 Agenda for a Presentation regarding Rocky Mountain Supercomputing Centers requests. ***Committee recommends that Communication No. 10-506 be held in Committee of the Whole.***

SECTION IV COMMUNICATION NO. 10-121

Robert Macioroski, Director Butte-Silver Bow Land Office, requesting Council's approval to accept donated properties from Continental Public Land Trust. ***Committee recommends that Communication No. 10-121 be held in abeyance***

SECTION V COMMUNICATION NO. 10-295

Brandt Thomas, 1823 Wall Street, requesting Council review proposal to establish a folf (Frisbee golf) course in Clark Park. ***Committee recommends that Communication No. 10-295 be held in abeyance***

SECTION XIII **COMMUNICATION NO. 10-508**

John Walsh, Sheriff, Butte-Silver Bow Law Enforcement, requesting Council’s authorization for the Chief Executive to sign an agreement with Pioneer Street Rods. *Committee recommends to concur with Communication No. 10-508 and place on file*

SECTION XIV **COMMUNICATION NO. 10-510**

Jeffrey Miller, Butte-Silver Bow Director of Fire Services, requesting Council’s authorization for the County Attorney to investigate the legal issues regarding the fire hydrant maintenance charges for the Rocker Water and Sewer District. *Committee recommends to request the County Attorney send a letter to Albert Molognoni, Chairman of the Board of Trustees for the County Rocker Water & Sewer District, requesting information respective to an “agreement/contract” between the Rocker Water & Sewer District and the City & County of Butte-Silver Bow concerning fire hydrant maintenance and hold the communication in the Committee of the Whole.*

SECTION XV **COMMUNICATION NO. 10-511**

Jeffrey Miller, Director of Fire Services, Butte-Silver Bow Fire Department, informing Council of recognition of the admirable performance of five firefighters during the fire at 703 Utah on August 23, 2010. *Committee recommends that Communication No. 10-511 be held in abeyance.*

SECTION XVI **COMMUNICATION NO. 10-513**

Mike Sheehy, Butte-Silver Bow Council of Commissioners, District No. 10, requesting Council’s authorization for the creation of Resident Only Parking on the 500 Block of Crystal Street and the South side of the 600 Block of West Gold Street. *Committee recommends that Communication No. 10-513 be held in abeyance.*

SECTION XVII **COMMUNICATION NO. 10-516**

Jeff Amerman, Director Finance and Budget Department, requesting time on the September 1, 2010 Agenda for a presentation on the FY 2010 – 2011 Preliminary Budget. *Committee recommends that Communication No. 10-516 be cross-referenced with Communication No. 10-498 and be placed on file.*

SECTION XVIII **COMMUNICATION NO. 10-518**

Sandy and Bob Yakawich, BS Café, requesting Council’s authorization of an exemption from the Special Events Ordinance to hold an Uptown Pumpkin Patch on October 22, 23, 24, 25, and October 29th and 30th at the Original Mine Yard. *Committee recommends that Communication No. 10-513 be held in abeyance. (Noted language change for exemption of Fee Waiver)*

SECTION XIX

COMMUNICATION NO. 10-521

Dave Palmer, Chairman, Butte-Silver Bow Council of Commissioners, requesting time on the September 15, 2010 agenda to receive reports from recipients of FY 2009 – 2010 Economic Development Mill Levy Funds and for time of the October 6, 2010 agenda to accept sealed proposals for allocation of FY 2010 – 2011 funds. *Committee recommends that Communication No. 10-521 be held in abeyance.*

FINANCE AND BUDGET COMMITTEE MEETING REPORT SEPTEMBER 8, 2010

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. 10-462

Jeff Amerman, Director Butte-Silver Bow Finance and Budget Department, requesting Council's authorization for time on the Finance and Budget Committee Agenda on July 28, 2010 to make a presentation of the FY 2010-2011 preliminary budget. *Committee recommends to note Communication No. 10-462 and place on file.*

**RULES COMMITTEE
SEPTEMBER 8, 2010
5:30 PM COURTHOUSE COUNCIL CHAMBERS**

SECTION I COMMUNICATION NO. 10-509

Paul Babb, Chief Executive, requesting time on the Rules Committee Agenda for discussion of Council Rules and Order. *Committee recommends that Communication No. 10-509 be held in abeyance.*