

**APPROVED**

**The 1457<sup>th</sup> Regular Meeting of the City Council was held on Monday, November 7<sup>th</sup>, 2016 in the Council Chambers at City Hall.**

**Call to Order:**

The meeting was called to order at 7:00 pm by Mayor Brent Teske. Present were Mrs. Williams, Mr. Zimmerman, Mr. Olsen, Mr. Beach, Mrs. Smith, Ms. Campbell City Treasurer/Clerk Audray McCollum and City Administrator Jim Hammons. Mayor Teske thanked the public for attending the meet and great earlier in the evening.

Prayer was offered by Tom Cole.

Mr. Olsen made a motion to approve the minutes from the Regular meeting # 1456 held on October 17, 2016.

Mrs. Williams second.

Mrs. Smith stated on pages 7 and 8 the minutes should reflect TBID instead of the tea bill. Mr. Olsen stated on page 11 the minutes should reflect Mr. Olsen's name not Mr. Orr's.

Motion passed with the corrections.

**Announcements:** None

**Committee Reports:**

**Cemetery/Parks:** None.

**Fire:** Mr. Zimmerman did not have the monthly report for October. Mr. Zimmerman said there would a meeting on November 14<sup>th</sup> at 7:30 with the Lincoln County Rural Fire Board at the fire hall. Discussion will be on the fire hall roof. Mayor Teske stated everything was moving along with the engineer and the city will soon be receiving a bid package for the new fire hall roof.

**Police:** Chief Watson reported there were 221 cases, 17 citations and 24 arrests for the month of October. Chief Watson urged citizens to lock their automobiles and homes because of the recent break-ins and thefts.

**Resolutions/Ordinances:** Mrs. Williams stated there will be three items on the agenda for discussion later.

**Lights/Streets/Sidewalks:** None.

**Building:** Mr. Beach stated the city crews had been removing debris from the old police station roof. The city is staying on top of this to prevent neglect in the future.

**Water/Sewer:** Mr. Zimmerman reported there were some water breaks and not sure why. Mayor Teske thanked the city crews for working hard to get the leaks fixed.

**Personnel:** None.

**Budget:** Mrs. Williams stated there will be a budget report later in the agenda.

**Finance:** None.

**City Administrator:** Mr. Hammons stated the leaves were late falling from the trees. Mr. Hammons urged citizens to call the city and the crews would still pick up their leaves. Mr. Hammons would like the public to know that the city crews were using a front end loader to pick up the leaves because they were saturated with water and very heavy.

**CAG:** Mr. Olsen has tried to make several phone calls and has heard nothing back.

**KRDC:** Nothing

**City County Health Board:** Mayor Teske urged anyone interest in representing the city to turn their letter of interest and resume to the city by November 18. The council will interview and select a representative at the November 21 council

meeting. Mayor Teske also urged anyone interested in the planning board or police commission please apply.

### **Hear from the public on items on the agenda:**

D C Orr, 1117 Nevada, stated the city had been at a standstill for the last year and half and the council is doing a great job. Mr. Orr said there was eleven items on the agenda and three minutes was not long enough to commit on them. He urged council to follow their council rules and procedures and allow public participation before items on the agenda are voted on. Mr. Orr is frustrated by this and feels his experience could help the council.

Mayor Teske agreed with Mr. Orr and said council needs to reestablish that.

### **New Business:**

#### **Uphold or repeal action taken on September 28, 2016 special meeting (appoint new mayor):**

Mrs. Smith made a motion to uphold the action to appoint a new mayor on September 28, 2016.

Mr. Olsen second.

Motion passed.

#### **Brian Zimmerman's temporary residency request:**

Mayor Teske stated that Mr. Zimmerman had recently sold his home at 717 Main Street and is in the processes of buying a home at 714 Mineral Ave. There have been some delays and Mr. Zimmerman is temporally residing at his in-laws. Mr. Zimmerman is making a request to live out of city limits and still serve on the Libby city Council.

Mrs. Smith made a motion to grant Councilman Zimmerman to live outside the city limits and still serve on the Libby City Council.

Mr. Beach second, with council discussion to follow.

Mr. Olsen asked if there would be a time limit.

Motion was amended to include a time limit of March 6, 2017.

Mr. Zimmerman told council if anyone needed any updates please contact him. He thanked the council for taking the time to look at this.

Motion Passed.

Appoint a new council president:

Mayor Teske asked council for nominations.

Mr. Olsen nominated Mr. Zimmerman for council president.

Mr. Zimmerman thanked Mr. Olsen but declined.

~~Motion was rescinded.~~

Mr. Zimmerman made a motion to nominated Mrs. Williams as council president.

Mrs. Williams accepted the nomination.

Mayor Teske asked for the vote for Mrs. Peggy Williams to be the President of the Libby City Council.

All voted yes except Mr. Olsen who voted no.

Mr. Olsen stated concerns about Mrs. Williams holding the position as council president. Because of the election fraud charge.

Financial report first quarter:

There were no questions or concerns.

Ordinance 1878, second reading: An ordinance of the city council of the City of Libby Montana repealing chapter 2.12 of the Libby municipal code entitled “ALDERMAN” and adopting a new chapter 2.12 of the Libby code entitled “CITY COUNCIL MEMBERS” .

First reading was at the July 5<sup>th</sup> meeting, the ordinance was tabled for amendments in regard to the section on expenses.

Mr. Zimmerman made a motion to accept ordinance 1878 as revised.

Mr. Beach second.

Motion passed.

Ordinance 1886: An ordinance of the City of Libby Montana repealing ordinance 1829 and adopting a new chapter 7 of the Libby Municipal code entitled “ANIMALS” first reading.

Mrs. Williams made a motion to pass ordinance 1886 referring to animals.

Mrs. Smith second.

Mrs. Williams explained there was no change in the ordinance text; it came to light last summer that there were multiply versions of this ordinance with different numbering issues. The solution was to choose a version and then pass the ordinance.

Motion passed first reading.

Ordinance 1887-An ordinance of the Libby City Council repealing section 10.52.32 and amend section 10.52.35 of the Libby municipal code entitled “PARKING REQUIREMENTS” first reading.

Mrs. Williams explained there were slight changes in this ordinance to include diagonal parking.

Mr. Zimmerman made a motion to accept motion 1887 as been revised.

Mr. Beach second.

Motion passed first reading.

Montana Athletic Club Lease:

Mr. Beach made a motion to renew the current eight year lease with six years remaining, with mandatory quarterly meetings starting in year six (2020).

Mr. Olsen second.

Motion passed.

Sale of property adjacent to Remps’ pit:

Mr. Beach stated that the city had a interested buyer for the property that is located next to Remps’ pit. The property has been appraised between \$80,000.00 to \$89,000.00, the city has no future plans for this property. The committee recommends moving forward and listing this property for sale.

Mr. Beach made a motion to list this property for sale.  
Mrs. Williams second with council discussion to follow.  
Mr. Olsen asked how the city would pick a real estate agent without showing favoritism. Mayor Teske said the city might need to look into a rotation system.  
Mrs. Smith expressed her hesitancy over the possible sale and council should proceed with caution. Stating that once a piece of property is sold it is gone and municipalities need assets. Mrs. Smith stated the city is not in a dire financial situation. She wants her fellow council people to consider this.

Council discussion followed on whether the land was land locked.

Mr. Olsen made a motion to table the land sale.  
Mr. Beach rescinded his motion.  
Motion was tabled till next council meeting.

#### Claims:

Mrs. Williams made a motion to approve all claims for the month of October 2016.  
Mr. Olsen second.  
Motion passed.

#### Business License:

Mrs. Williams made a motion to accept all business licenses to date excluding Molly Baby Baking Company.  
Mrs. Smith second.  
Mrs. Williams explained that Molly Baby Baking Company was outside of the commercial business zone and the county health department had not inspected the property.  
Motion passed.

#### **Hear from the public on items not on the agenda limited to three minutes:**

Gary Neff, 407 10<sup>th</sup> ST E, asked council to move a stop sign on 10<sup>th</sup> ST E and Dakota. Mr. Neff would like the stop sign moved from facing Dakota to face 10<sup>th</sup> St E. Mr. Neff feels this would make more sense because the road tees into Dakota. Neff thinks this would be a much safer design.

Mayor Teske agreed with Mr. Neff and said council would look into a resolution to fix it.

D C Orr, 1117 Nevada, felt it was unnecessary for Mr. Zimmerman to ask council for a temporary residency request. He thanked Mr. Zimmerman for saying he would own up to any mistakes he may make and do whatever it takes to fix them. Mr. Orr said that council did not have the authority to vote on Mr. Zimmerman's residency request.

Mr. Orr expressed concerns that the city might face in the future with the new council president involvement with the past city county health board. Mr. Orr will not cut the council any slack if this happens. Orr stated the council made the wrong decision.

Lloyd Miller, 870 Meadowlark Lane, made a request to have the leaves from the city pick up dumped at his ranch.

Mayor Teske told Mr. Miller to speak with Mr. Hammons to make the arrangements.

Mr. Zimmerman expressed concerns about a property on the end of Mineral AVE. being cluttered with trash and would like to know what council could do.

Mayor Teske stated that law enforcement is acting on this.

### **Adjournment:**

Mrs. Williams made a motion to adjourn the meeting.

Mr. Zimmerman second.

Motion passed.

Meeting was adjourned at 7:57 pm

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Mayor, Brent Teske

Attest; \_\_\_\_\_  
Audray J. McCollum, City Clerk-Treasurer