

APPROVED

The 1449th Regular Meeting of the City Council was held on Monday, May 2nd 2016 in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:00 pm by Mayor Doug Roll.

Present were Mr. Zimmerman, Mrs. Raines, Mr. Olsen, Mr. Teske, City Administrator Jim Hammons, City Attorney David Tennat. Mrs. Desch, Mrs. Williams, and City Clerk/Treasurer Audray McCollum were not present.

The prayer was offered by Lloyd Miller.

A motion was made by Allen Olsen to approve the minutes from the meeting held on April 4th and Special meeting on April 18th. Mrs. Raines seconded the motion with discussion to follow.

Mr. Olsen asks to have the letters that were read at the April 4th council meeting be attached to the minutes. Mr. Olsen asked that the minutes from April 18th reflect that the city code of conduct be changed to the attorney code of conduct. Mr. Olsen also requested that the minutes reflect Mr. Tennant was not working under contract. Motion passed

Mr. Teske made a motion to approve the minutes for the April 11th special meeting, Mr. Zimmerman second. Motion passed.

Announcements:

None.

Committee Reports:

Cemetery/Parks: None

Fire: None

Police: Chief Terry Watson said for the month of April, there were 264 calls, 20 citations issued, and 19 arrests made. 71 call increase compared to April 2015

Resolutions/Ordinances: Mayor Roll mentions there are many being worked on but Mrs. Williams was not present to discuss them.

Lights, Streets/Sidewalks: None

Water/Sewer: Mr. Teske mention the Waste Water crew had scheduled a demonstration for a camera system on Wednesday the 4th of May @ 9:00 am at the Water Treatment plant. Invited Council members to attend it they could.

Building: Mrs. Raines plans to have a Building Committee meeting on Thursday, May 5th @ 12:00 noon to discuss the Fire Hall roof repairs.

Personal: None

Budget: None

Finance: None

City Administrators Report: Council members had the report for April.

Here from the Public Items on the Agenda Limit to Three Minutes:

Rob Hubbard, 115 Northwood brought up the issue with the Council approving of the minute and striking down what was to be put in the minutes. He said a year ago this was what was going to happen. The Council is kicking the can down the road. Council does not know what's going on. They need to take action and get involved.

Mr. Teske asked Mr. Hubbard to stay on subject. Mr. Olsen said to let him talk. Mr. Hubbard said the people elected you, and you are responsible to the people.

Bill Cunane 622 Michigan Avenue. Mr. Cunane asks if there is or is not a contract with the attorney. He said for years this has been going on here in Libby that there is no contracts in place. He said this needs to stop.

DC Orr, 1117 Nevada. Mr. Orr mention item #3 on the agenda, he said you are all accountable to the law. He spoke of the MCA code, and the meeting on 4/18/2016 did not allow for public participation. He told the council they pushed a dirty attorney through. He mentioned the attorney has been withholding information. He talked about a contract with the attorney that the city did or didn't have. He told the council you have been lied to by the attorney.

Arlen Mc Gill, 804 Wisconsin Avenue. Mr. Mc Gill talked about the attorney's contract and if the city was to change it they could save money.

Councilman Olsen made a motion to reconsider hiring David Tennant, Mr. Teske second.

Mr. Olsen stated that on April 18th Mr. Tennant and Mayor Roll knew about the allegations toward Mr. Tennant. Mayor Roll and Mr. Tennant both stated that they didn't know. Mr. Olsen asked to fire Mr. Tennant on grounds that he was not forthcoming of the allegations against him. Mr. Tennant said he would voluntarily resign if that's what you want. Mr. Olsen made a motion to accept David Tennants resignation. Mrs. Raines expressed concerns about accepting Mr. Tennants resignation. Mr. Teske asked about the law firm sending a new representative, Mayor Roll said they would.

DC Orr: Stated that the council has new information that they did not have on April 18th. This will be a vote to reconsider David Tennant as Libby's city attorney.

Rob Hubbard: There needs to be motion to fire David Tennant.

Barb Turner, 212 Spencer Ave, stated Mr. Olsen had asked the council to wait and put Mr. Tennants appointment off until they had read though his contract. If this would have been done, the allegations against Mr. Tennant came out the next day and the council would not have hired him. She urged the council to consider what the public wants.

Bill Cunane has concerns about not having a city attorney and asked if the law firm could have a new attorney no later than Friday. Mr. Tennant responded that he did not think anyone in his firm would want the job.

Arlene McGill wants the council to do a complete back ground check on the next city attorney.

Mr. Teske asked Mr. Tennant if anyone else from his firm would want to replace him. Mr. Tennant responded that he did not think so.

Mr. Zimmerman stated that Mr. Tennant is innocent until proven guilty.

Barb Turner stated that Mr. Tennant firm knew about the allegations against him and that the firm could not be trusted.

Mr. Teske is worried about upcoming litigation with the city criminal cases.

Arlene McGill asked about hiring a attorney by the hour.

Mr. Zimmerman replied that different cities have tried this without much luck; we need to have an attorney represent us in person.

Cody Sentel wanted to know if Mr. Tennant is found guilty will that affect the cases he has represented.

Mr. Tennant responded that he did not know.

Mr. Olsen made a motion to accept Mr. Tennants resignation Mr. Teske second motion passed.

New Business:

Mr. Olsen made a motion to accept the 2016 renewal application for employment practices coverage under the memorandum of liability coverage. Mrs. Raines second with discussion to fallow motion passed.

Mayor Roll explained how the street maintenance and lighting is assessed and asked the council to be thinking about this with the upcoming city budget.

Council Action/Discussion:

Mr. Olsen made a motion to approve all business licenses received to date Mr. Zimmerman second motion passed.

Mr. Zimmerman made a motion to approve all claims for April 2016 Mr. Olsen second with discussion to follow. Mr. Olsen would like to know why the tree board is not spending their money locally, and asked that the tree board be dissolved. Mayor roll did not think that was possible by law. Motion passed

Hear From The Public On Items Not On The Agenda Limited To Three Minutes:

Vicky Lawrence, 804 California, Would like to thank the council for their service. She is concerned about the lack of order at the city council meetings. Meetings

need to be run by parliamentary procedure. Mr. Tennants resignation was not on the agenda. The council meetings are run out of order. She urged the mayor to get the meetings in order so the public will feel safe speaking at the meetings.

Arlene McGill, 807 Wisconsin, agreed with Mrs. Lawrence adding if anyone doesn't feel safe they need to talk to Chief Watson. Then told Mrs. Lawrence she should follow her own advice.

Rob Hubbard, 15 Northwood, stated as his 1st amendment rights he can speak at the city council meetings when he wants. He applauded the council for accepting Mr. Tennants resignation. Wants the council to be educated and qualified to serve Libby.

DC Orr, 1117 Nevada, Thanked the council for their vote and for finding ways to add items to the agenda without the mayor. He stated that the mayor needs to go. He urged the council not to let Mayor Roll pick the next attorney.

Bill Cunane, 622 Michigan, Vicky Lawrence was correct on procedurally ways to run a meeting. He would like to see more items on the agenda.

Barb Turner, 212 Spencer Ave, asked Mayor Roll to step down before he gets recalled.

Mr. Olsen made a motion to adjourn the meeting Mr. Zimmerman second motion passed.

The meeting adjourned at 8:24 pm

Mayor Doug Roll

Attest; _____
Audray J. McCollum, City Clerk-Treasurer