

APPROVED
THE 1434th REGULAR MEETING OF THE CITY COUNCIL WAS HELD ON
MONDAY, APRIL 6, 2015 @ 7:00PM IN THE COUNCIL CHAMBERS

CALL TO ORDER

The meeting was called to order at 7:00pm by Council President Bill Bischoff who welcomed the public and led the pledge of allegiance.

Mr. Olsen, Mr. Teske, Mrs. Williams, Mrs. Raines, Mrs. Desch and Mr. Bischoff were present. City Attorney Allan Payne was present by phone. City Administrator Jim Hammons and City Clerk Glenna Hook were also present.

Darwin Scofield of the Baptist Church was present to offer prayer.

Mrs. Williams made a motion to approve the minutes from the Regular Meeting 3-16-15. Mrs. Desch seconded the motion. Motion Passed. Mr. Olsen spoke about MCA 7-5-41 and handed out copies of the code to the council stating he thought his minutes from the Judicial Committee Meeting should be attached to the Regular Meeting Minutes. Mrs. Williams made a motion to change the minutes in the first paragraph of Hear from the Public from mass mailing to mass emailing. Mrs. Desch seconded the motion. Motion Passed.

ANNOUNCEMENTS

COMMITTEE REPORTS

Parks/Cemetery; Mrs. Williams stated they would be installing the last sidewalk needed at Riverfront Park, sometime this summer. It will connect the little pavilion to the parking areas in front.

Fire; None

Resolutions/Ordinances; Mrs. Williams stated that there were a number of Resolutions and Ordinances on the agenda and that she would make comments at that point.

Personnel; Mr. Bischoff stated they had a Personnel Committee Meeting scheduled this coming Thursday.

Building; Mr. Teske stated they are waiting on bid on the roofing at the Fire Hall.

Water/Sewer; Mr. Teske stated they were going to have a committee meeting next week to discuss some issues that have come up. Mr. Teske added that they were still moving forward with the hydro electric generator at the PRV station. The committee met with Flathead Electric again and learned some additional stages of paperwork.

Budget/Finance; None

Police; Chief Smith stated there were 222 case reports, 27 citations and 29 arrests for the month of March 2015.

Lights/Streets/Sidewalks; Mrs. Desch stated on March 25th at noon they had a committee meeting to discuss the streets they would like to pave and work on this year. Mark McCully from the county was at the meeting also. The streets they would like to work on are 6th Street from Hwy 2 to the Alley between Main and Idaho, Balsam from Main Street to the back of the Elementary School, Utah from Hwy 2 to North of the Hospital (5 blocks), Main one block between 5th and 6th in front of the Post Office, 5th Street one block between California and Mineral beside First Montana Bank, 6th Street one block from Montana to Louisiana and to make 8th Street come straight into City Hall and remove the angle of the street. The cost for Asphalt, doing some curbing, milling and crushing gravel would cost the city \$260,000 to complete all of the projects. They asked the budget committee to help find the funds to complete these projects. It is important to complete these streets this year. If we do these this year we will be able to keep the cost down with the help of the county, if we wait the cost will go up because we will not have help from the county as they plan to complete their paving projects this year.

City Administrator; Jim Hammons stated the vehicles lined up out in the parking lot were to be auctioned off. There will be an ad in the paper and sealed bids will be taken up until the 17th of April, 2015.

Finance; None

HEAR THE PUBLIC FOR ITEMS ON THE AGENDA LIMITED TO THREE MINUTES

DC Orr residing at 1117 Nevada Avenue, Libby stated his concerns on Ord. 1868. Mr. Orr said the council did not have all the information on Ord. 1868. Mr. Orr also commented on the city attorney and some of the cities affairs that were not on the agenda and was asked to stick to items on the agenda.

UNFINISHED BUSINESS

Final Reading of Ordinance # 1867, discharge of firearms within city limits; Mrs. Williams made a motion to approve the final reading of Ordinance #1867. Mrs. Desch seconded the motion. Motion Passed.

Final Reading of Ordinance # 1868, amending Municipal Codes for removal of Jail Time; Mrs. Williams made a motion to approve the final reading of Ordinance #1868. Mrs. Desch seconded the motion. Mr. Olsen made a comment on keeping the ordinance to only one subject. Motion Passed. Mr. Olsen opposed the motion. Mrs. Williams made a motion to remove Section 13.02.400 and 13.52.010. Mrs. Desch seconded the motion. Motion Passed. Mr. Olsen opposed the motion.

Darwin Scofield, the Baptist Church flooding; Pastor Darwin Scofield of the Libby Baptist Church at 105 E. Cedar, recited a passage out of the Bible, "Speak the truth each one of you to his neighbor." Pastor Scofield stated a few weeks ago Libby Baptist Church contracted an independent engineering firm to give an opinion regarding the cause of the flooding at LBC incurred in March of 2014. Pastor Scofield said we asked only one thing from them; the truth as best as could be ascertained. We are glad to know their preliminary conclusion and, as near as could be determined at this time, it does not appear to implicate the City of Libby. Instead, their professional opinion is that the flooding was due to the adjacent logging that allowed for inordinate water discharge. It will be in all likelihood, and unfortunately, result in further risk

for us and others. Pastor Scofield went on to speak for the LBC team stating their gratitude and commending Robin Benson, Brent Teske and Bill Bischoff for their fair treatment over the last year. Pastor Scofield also apologized for any undue troubles and stress this has caused.

NEW BUSINESS

Resolution # 1869, Extending the boundaries of Creek View Estates; Mrs. Williams made a motion to approve Resolution # 1869. Mrs. Desch seconded the motion. Motion Passed.

First reading of Ordinance 1870, amending section 10.84.020 of the Libby Municipal code; Mrs. Williams made a motion to approve the first reading of Ordinance 1870 regarding the licensing of motor vehicles. Mrs. Desch seconded the motion. Mrs. Williams stated this came to their attention that this was already covered in state code and that we weren't in compliance with state code. Motion Passed.

Ordinance 1871, Mrs. Williams made a motion to approve the first reading of Ordinance 1871 repealing chapter 13.48. Mrs. Williams stated this was also one of the ordinance's that came to their attention during the review and the best they could figure is it was an old ordinance from when we had the old waste water plant. Mrs. Desch seconded the motion. Motion Passed

COUNCIL ACTION/DISCUSSION

Approval of Business Licenses received to date; Mrs. Williams made a motion to approve Business Licenses received to date. Mrs. Desch seconded the motion. Motion Passed.

Approval of Payroll and Claims for March 2015; Mrs. Williams made a motion to approve Payroll and Claims for March 2015. Mrs. Desch seconded the motion. Motion Passed.

Approval of Water Distribution Project Draw; Mrs. Williams made a motion to approve the Water Distribution Project Draw. Mrs. Desch seconded the motion. Motion Passed.

Approval of Flower Creek Dam Project Draw; Mrs. Williams made a motion to approve the Flower Creek Dam draw. Mrs. Desch seconded the motion. Motion Passed.

HEAR FROM THE PUBLIC LIMITED TO THREE MINUTES

DC Orr residing at 1117 Nevada Avenue, Libby talked about the Libby Airport Property and some grant funding that may be available. Mr. Orr wanted the council to be aware of and to do some digging on this issue. Mr. Orr also stated his concerns on the city county health board and the institutional controls concerning the asbestos clean-up.

Bill Cunnane residing at 622 Michigan Avenue, Libby spoke about some of the Ordinances that were covered tonight and mentioned that it was said the city was not in compliance. Mr. Cunnane thought the city attorney should go over every ordinance and see what is in or not in compliance. Mr. Bischoff stated the city was in the process of going through all the ordinances with the city attorney.

ADJOURNMENT

The meeting was adjourned at 7:33 pm.

Mayor

Attest; _____

City Clerk