

**APPROVED**  
**THE 1447th REGULAR MEETING OF THE CITY COUNCIL WAS HELD ON**  
**MONDAY, MARCH 7, 2016 IN THE COUNCIL CHAMBERS AT CITY HALL**

**CALL TO ORDER**

The meeting was called to order at 7:00pm by Mayor Doug Roll who welcomed the public and led the pledge of allegiance.

Allen Olsen, Peggy Williams, Dejon Raines, Barb Desch, Brent Teske and Brian Zimmerman were present. City Clerk-Treasurer Audray McCollum, Jim Hammons, City Administrator and David Tennant, City Attorney were present.

Prayer was offered by Elvie Miller.

Mrs. Williams made a motion to approve the minutes for regular meeting 2-1-2016, special council meeting 1-28-2016 and working meeting 2-23-2016. Mrs. Desch seconded the motion. Motion Passed.

**ANNOUNCEMENTS**

Montana Municipal Institute (clerk and elected official) training will be May 1-6 in Billings, Confirmation for those who wish to attend needs to be made by Wednesday April 20, 2016.

Councilperson Olsen asked Mayor Roll to resign and he (Mr. Olsen) would do the same, stating that Libby needed to move forward that things had become stagnant and for the better good of the City, that the two of them needed to resign. Mayor Roll responded that he was surprised by the proposal and that he needed to think on it.

**COMMITTEE REPORTS**

Parks/Cemetery: None

Fire: There were 0 fires in the city and 2 in the county bringing the total to 4 for the year.

Resolutions/Ordinances: Councilperson Williams will be setting up a meeting later this month with Unite for Youth for a purposed ordinance.

Building: Councilperson Raines stated there is an accepted offer on the Utah house, there will be a home inspection on March 11, 2016.

City Attorney: None

Water/Sewer: Council President Teske had a committee meeting to discuss the new water/sewer policy. He will discuss the details later in new business.

Budget: None

Police: Chief Watson had no report, stats were not received for the month of February.

Lights/Streets/Sidewalks: Councilperson Desch had a committee meeting that afternoon and will be discussing the details later in new business. Corky picked up the new street sweeper on March 2. The sweeper was mostly paid for with grant money. The street crew will have to receive training before they can operate it.

City Administrator: Jim Hammons took members of the council on a tour of the completed dam and as of 4:45p this evening the dam was full and running over the spill way.

Personnel: None

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

Mr. Neff 407<sup>th</sup> 10st E Would like Ordinance 1881 tabled, He feels the fee schedule should be set by the City Council and not by the City Administer.

Mr. Orr 1117 Nevada asked Mayor Roll to resign.

Mrs. Turner has concerns with Ordinance 1881 with the open container allowance in town, she is worried about public safety and concerned with the city's liability.

## **UNFINISHED BUSINESS**

Seconded reading of Ordinance 1881- Amend open container ordinance for community events. Councilperson Olsen made a motion to table needs a little more defying; Council President Teske asked if it had been reviewed by an attorney? Mayor Roll responded that it had been reviewed by Mr. Conner and explained the reason that the City was amending this ordinance was to give law enforcement more power to control the public. He also stated that the city needs Ignite the Nights and that we don't want to stop it. This ordinance will give the event holders a shared responsibility. Councilperson Raines stated that we are now requiring these special events to carry insurance and name the City of Libby on the insurance policy. Councilperson Williams stated that is why this Ordinance is being amended is to include the insurance policy. Councilperson Raines questioned about the damage and litter deposit fee, and wanted to know what was charged in the past, Mayor Roll responded that there was never a charge in the past. Council President Teske stated the reason the fee was being left up to the City Administrator to determine is because there is such a difference with different types of events. Councilperson Raines feels we should move forward with passing the ordinance and work on the fee schedule. Councilperson Olsen would like to work on the fee schedule at the working meeting in the middle of the month. Councilperson Williams would like to move forward with the Ordinance. Councilperson Williams made a motion to approve the second reading of Ordinance 1881 Councilperson Raines seconded the motion. Motion passed. Councilperson Olsen opposed.

Second reading of Ordinance 1882- Adopting Montana Design and Construction standards for the City of Libby. Councilperson Williams made a motion to pass ordinance 1882. Councilperson Zimmerman seconded the motion. Motion passed.

## **NEW BUSINESS**

Councilperson Williams made a motion to Amend Ordinance 1776 building codes: Adoption code 24.301.146 International Swimming and Spa code. Councilperson Desch seconded the motion. Motion passed unanimously.

Council President Teske made a motion that we accept the water/sewer policy as set forth by the committee. Councilperson Raines second. Mr. Teske stated that the water/sewer policy had not been consistent in the past, we will no longer be managing properties for landlords, and we will no longer be taking deposits from renters. That will be up to the landlords, the home owner will now be responsible for the bill. The bill will only be allowed to be two months behind before it is shutoff. Motion passed

Kevin Peck, Vice President of ~~Ignite the Nights~~ Igniter's Car Club asked to close Mineral Ave from 8<sup>th</sup> st. to 1<sup>st</sup> Ave including the (cul de sac) and Lincoln Boulevard to Mineral Ave to Louisiana Ave on Friday August 19<sup>th</sup> from 6pm to 10pm and August 20<sup>th</sup> from 6 am to 4pm for the 2016 Ignite the Nights car show. They also asked permission to close Lincoln Boulevard from Louisiana Ave to Dakota Ave and detour East on 8<sup>th</sup> street to Dakota Ave, North for two blocks and then west on 6<sup>th</sup> St. back to Louisiana Ave to proceed North. Southbound traffic would be detoured East on 6<sup>th</sup> street to Dakota Ave , south for two blocks and then west on 8<sup>th</sup> street back to Louisiana. This detour would only be in effect from 6pm to 10 pm Friday August 19<sup>th</sup>. Igniter's Car Club would monitor traffic to allow passage of any emergency vehicles and only half of the roadway on Louisiana would be barricaded. The club also asked for a permit relief under chapter 9.60.040(B) as some vehicles invited to cruise on Friday August 19<sup>th</sup> from 6 pm to 10 pm may be deemed to be in violation of Libby Municipal Code, Chapter 9.60 Noise.

Mr. Peck stated that the car club is trying to improve the conditions and the safety at the car show. Councilperson Olsen asked if they had asked the home owners and if there were any complaints. Gary Rantala stated that he did go door to door and that there were no complaints. Mr. Peck stated that there will be more man power and off duty officers working the streets, there will also be certain places that cars will be allowed to burn out. The main concern of the car club is the safety of the public. Mr.Olsen made a motion for the street closure request and noise ordinance permission, Mr. Zimmerman second, motion passed with Mr. Teske abstaining from the vote since he is a member of the car club.

Councilperson Desch spoke about the streets committee meeting they had earlier in the day concerning repaving the streets. Mrs. Desch has asked City Administrator Hammons to get the committee a price on what it would cost to have certain roads chip sealed. A list of streets that were in need of repair was provided, council was asked to look at those streets and report back to the committee on what their thoughts are. There will be a committee meeting to discuss these repairs the end of April.

## **COUNCIL ACTION/DISCUSSION**

Business Licenses- Councilperson Williams made a motion to approve business licenses received to date, except Centerline Tile and Stone for lack of physical address. Councilperson Zimmerman seconded. Motion passed unanimously.

Claims for February, 2016. Councilperson Williams made a motion to approve the claims for February, 2016. Councilperson Desch seconded the motion passed.

## **HEAR FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA LIMITED TO THREE MINUTES**

Amy Thomson 218 W. Poplar would like to invite the public on April 22 to attend a class on anti bullying being put on by the Libby Christian School.

D C Orr 1117 Nevada, Libby Feels his constitutional rights are being violated, that Mayor Roll only allows who he wants to speak, he feels the council is bullied by the mayor. The council is supposed to run the meeting not the mayor. Councilperson Zimmerman replied that the reason the council did not interfere is because the items that Mr. Orr wanted to discuss earlier were not on the agenda and that he was directing his questions to a single individual instead of the council body as a whole.

Mayor Roll adjourned the meeting at 7:38 pm, Councilperson Olsen stated that Mayor Roll could not close the meeting without a motion and asked Council president Teske to do something about it. Council President Teske contested stated that Mayor Roll had to make a motion to close the meeting. Councilperson Raines brought the room back to order and asked if anyone else wanted to speak if not a motion would be made to close the meeting.

Barb Turner stated that she totally approved of Ignite the Night but would like to see the drinking be limited to a certain area, so everyone can enjoy the event. She also stated that the mayor needs to show up to all meetings if he wants a say in how things are done.

Council President Teske made a motion to adjourn the meeting Councilperson Raines seconded the motion. Motion passed.

## **ADJOURNMENT**

The meeting was adjourned at 7:52 pm

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City Mayor Doug Roll

Attest; \_\_\_\_\_

City Clerk-Treasurer Audray J. McCollum