

APPROVED

**THE 1443rd REGULAR MEETING OF THE CITY COUNCIL WAS HELD ON
MONDAY, NOVEMBER 2, 2015 IN THE COUNCIL CHAMBERS AT CITY HALL**

CALL TO ORDER

The meeting was called to order at 7:01pm by Mayor Roll who welcomed the public and led the pledge of allegiance.

Mr. Olsen, Mr. Teske, Mr. Neff, Mrs. Williams, Mrs. Desch and Mrs. Raines were present. City Administrator Jim Hammons, City Attorney Allan Payne per phone, City Clerk-Treasurer Audray McCollum were also present.

Prayer was offered by Lloyd Miller.

Mrs. Williams made a motion to approve the minutes from the Regular Meeting 10-5-15. Mr. Olsen made a motion to table the minutes till the next meeting stated the council needed to listen to the audio tape in regards to City Attorney Allan Payne's pay schedule. Mrs. Williams resend her motion to approve the minutes.

ANNOUNCEMENTS

COMMITTEE REPORTS

Parks/Cemetery; None

Fire; None

Resolutions/Ordinances; Mrs. Williams stated that she was working on a committee meeting to discuss about four issues. One being the contract with the American Legion for the use of the field but there was an issue with the alcohol approachment, also there were issues with the alcohol fee schedule waiting for comments from Jack Conner *Please see attached collection**

Personnel; None

Building; Mr. Teske said he was scheduling a meeting next week to discuss bids on fixing the roof at the old fire hall.

City Attorney; None

Water/Sewer; Mr. Teske said they were discussing revamping the water policy.

Budget/Finance; None

Police; Chief Watson stated he was unable to give the police report for the month of Oct, 2015 due to staff issues.

Lights/Streets/Sidewalks; Mrs. Desch stated that the Balsam street side walk project had to come up with matching funds, went from \$10,000.00 to \$15,000.00 leaving our portion at \$12,000.00. The project should be completed after school is out in the spring/summer of 2016.

City Administrator; None

Finance; None

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

Arlen Magill residing at 807 Wisconsin Avenue, Libby asked to have all available transcripts for the last six months of city council meetings.

D.C.Orr residing at 1117 Nevada Avenue, Libby spoke on the importance of having everything in writing before starting the Vanderwood water main project to protect the City of Libby and also the property owners. Mr. Orr also expressed his concerns with the current city attorney.

Rob Hubbard 15 Northwood, Libby thought there was supposed to be items on the agenda and voiced his concerns on how the council conducts there meetings. He also recommended putting an ad in the paper to find a new city attorney.

Bill Cunnan 622 Michigan, Libby stated that no agreements be made without a written contract agreement.

UNFINISHED BUSINESS

NEW BUSINESS

Recessed at 7:28pm called to order at 7:33pm

Mr. Ben Scott 252 Wood heights rd, Libby showed a video on biathlon racing which he is proposing to put a trail and gun range in for the kids. He asked the city of Libby for a letter of commitment for trail access use on city land, and assured the city that this will not cost the city anything. Funds will come from a grant from fish wildlife and parks. Mr. Roll stated that he believes the council is in full support of the biathlon range. Mr. Roll said his only concern was upkeep and safety of the range during off season asked how far of the main road would the trail be, Mr., Scott replied at least 120 to 150 yards. Mr. Roll also asked if there was going to be any kind of protection around the targets, Mr., Scott replied that the targets would be taken down or the targets would be covered. Mr. Orr had concern about the lead; Mr. Scott said there would be a pan behind the target to collect the lead. Mr. Neff had question about the upkeep, Mr. Scott replied that it will be kept up by their club. Mrs. Raines asked if some of the 150 meter loop would be on city property, Mr. Scott replied that it would. Mr., Neff wanted to know how many residents would be affected by this, Mr. Scott said the affect would be minimal since the closest house to the track was over a mile away. Mr. Scott then asked the City of Libby for a letter of support for a potential trail system to take to the forest service and to the state of Montana.

Recessed 8:00 called to order at 8:05

Tree Board yearly update from April Rainy: stated that Libby is one of 3400 communities in the United States that is part of the tree city program. The tree board is looking for new members, and will not be doing any new projects till they can handle the ones they have. The board will continue future education; continue with Arbor Day tree planting; also offer tree planting courses. The City lost a few trees last summer due to the drought, disease brought on by the tent caterpillars. Hoping the caterpillars won't be a problem in the future since they have a 2 to 3 years life cycle. The tree board relies on the city for funding to buy the tree guards, to help with their educational programs and to buy trees. Last year they purchased 10 trees which they planted on Arbor Day. In the future they would like to hear from the community about the placement of future trees. Mr. Teske had concerned if the hazardous trees were removed and Mr. Roll said they were, with the help of the city street department. Mr. Olsen asked that the tree board not plant trees under power lines that would grow too tall.

Jim Hammons City Administrator brought up the 2" water line on Vanderwood needs to be replaced, leaking very bad 3 homes connected to the line, this is unique situation public water on private land, the city wants to reroute the waterline and put it in the road on Vanderwood. This way the city would have access to maintain the waterline, put in curb stops and meter pits. Thompson construction put in a bid which at a cost of \$750 per service hookup. Jim wants the money for these repairs to be taken out of the water fund and possibly the IP fund. It is up to the council if the hookup fee will be paid for by the home owner or the city. Mr. Roll said this is a unique situation being that it is a private line with city water that's why there has to be council approval for the project. Mr. Teske feels that the whole main needs to be replaced and that patching the line would not work. Mr. Teske feels that the home owners should not be liable for the hookup fee since this is such a unique situation. Mr. Neff feels the line needs to be replaced as soon as possible so the home owners do not lose water service to their residents. Mrs. Williams made a motion to replace the main and absorb to cost of the service connection to the 3 homes, Mr. Teske second motion passed unanimously.

Mr. Neff voiced concern about how the city council meetings are being held, the absent of a second city council meeting, the contract with city attorney Allan Payne and the code of conduct that Allan Payne is governed by. Mr. Roll's response was that it is very difficult to hire a city attorney that Mr. Payne has to abide by the Montana code of conduct, a copy of the Troy city attorney's contract will be in all council members' boxes tomorrow. Mr. Roll was waiting till after the election in the matter of holding a second meeting a month to get all city council members on board.

Mr. Teske asked if anyone opposed having a second working committee meeting for the month of November, Attorney Payne commented that there cannot be a special meeting without public notice that you have to have a agenda, this is stated in the state constitution. Mr. Neff handed Mr. Roll items that he would like included in the next council meeting. Mr. Neff would like to have more a better description on the agenda issues.

Mrs. Raines would like the council to work together, in the proper way with checks and balances.

COUNCIL ACTION/DISCUSSION

Business Licenses Mr. Teske made a motion to approve, Mr. Neff second approved unanimously.

Claims for Oct,2015 Mrs. Williams made a motion to approve Mr. Neff apposed stating that he had a issue with claim Number 31273 for \$5333.33 for services provided for by Mr. Payne city attorney Mr. Olsen Second, stating that the city attorney was not upholding the Montana state code of conduct. Vote Mr. Teske yes, Mr. Neff yes, Mr. Olsen Yes, Mrs. Raines no, Mrs. Desch no, Mrs. Williams no, Mr. Roll claim number 31273 to be paid. Approval to pay the original motion to pay the claims was second by Mr. Teske all in favor except Mr. Olsen.

Liquor Licenses Mrs. Williams mad a motion to approve Mrs. Desch second passed unanimously.

Gaming License Mrs. Williams made a motion to approve Mr. Teske second passed unanimously.

Mr. Neff made a motion to move back to new business Mr. Olsen Second passed unanimously, to discuss the agenda.

HEAR FROM THE PUBLIC LIMITED TO THREE MINUTES

John Klag 273 Colorado, Libby had concerns about city equipment being used on the weekends.

Arlen Magill 807 Wisconsin Ave, Libby expressed concern about the city Attorney giving advice to city employees. He also expressed concern on how the city council was conducting meetings.

D C ORR 1117 Nevada Av, Libby said the council needs to follow the state guidelines and laws for conducting meetings. He also had questions on the city attorney code of conduct.

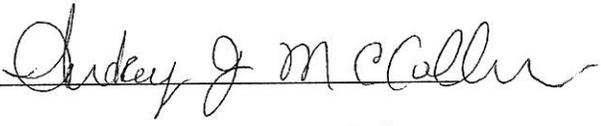
Rod Hubbard 15 Northwood, Libby feels the council is on the right track but would like there be more discussion allowed.

ADJOURNMENT

The meeting was adjourned at 9; 25 pm.



Mayor Doug Roll

Attest; 

City Clerk-Treasurer Audrey J. McCollum

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Mrs. Williams stated that she was working on a committee meeting to discuss about four issues. One being the contract with American Legion baseball for the use of the field. There is an issue with the alcohol encroachment ordinance. The fee schedule is being reviewed. The committee is waiting for comments from Jack Conners on those and other ordinance changes.