**APPROVED**

**The 1451ST Regular Meeting of the City Council was held on Tuesday, July 5th, 2016 in the Council Chambers at City Hall.**

**Call to Order:**

The meeting was called to order at 7:00 pm by Council President Brent Teske.

Present were Mrs. Williams, Mrs. Desch, Mr. Zimmerman, Mrs. Raines, Mr. Olsen and City Treasurer/Clerk Audray McCollum. Mayor Doug Roll and City Administrator Jim Hammons were absent.

A motion was made by Mrs. Williams to approve the minutes from the meeting held on June 6, 2016.

Mrs. Desch seconded the motion with discussion to follow.

Approval of the minutes passed.

**Announcements:**

**Committee Reports:**

**Cemetery/Parks**: None

**Fire:** Mr. Zimmermanreported there were 0 fire calls for the month of June. Mr. Zimmerman read a letter from the Fire department committee council, stating the City of Libby was not providing the appropriate funds for the retirement and disability funds. The committee asked the city to look into this and budget funds for the upcoming fiscal year. **Police:** Chief Terry Watson reported for the month of June, a total of 252 calls, 59 citations issued and 29 arrests. Citations were higher due to weed tickets.

**Resolutions/Ordinances:** Mrs. Williams stated there would be 7 ordinance updates to be discussed later in the meeting.

**Lights, Streets/Sidewalks:** Mrs. Desch stated there would be discussion later in the meeting on upcoming projects.

**Water/Sewer:** Mr. Teske said there would be a meeting on Thursday at 6pm to discuss an issue with the sewer plant and address customer complaints.

**Building:** Mrs. Raines stated they are working on bids for the old fire hall roof. A meeting will be called to discuss whether there should be a flat or truss roof for the old fire hall building.

**Personal:** Mrs. Raines said a city employee is retiring. The committee has been working on rearranging the work load for the administration office. The position will be run in house and at the job service.

**Budget:** Mrs. Desch said there was a preliminary meeting June 21. The committee will meet later in July before having a public meeting.

**Finance:** None

**City Administrators Report:** Council members have the report for June.

**Hear from the Public Items on the Agenda Limit to Three Minutes:**

None

**New Business:**

Johnette Watkins from the River Front Blues Festival asked for a variance on the noise ordinance on Aug 12and 13th till 1am.

Mrs. Williams made a motion to approve a variance of the noise ordinance on Aug 12 and 13th from 12am to 1 am for the River Front Blues Festival.

Mrs. Raines Second

Motion passed.

Mrs. Williams made a motion to approve the animal control contract for 2016-2017 with Lincoln County for $10,800.00 per year.

Mrs. Raines second, with discussion to follow.

Motion passed.

No action was needed on the Taxiway, Lighting and Obstruction grant AIP 3-39-004-013-2016. Mayor Roll wanted the council to be aware this was happening. The grant funds will be going though the county, the mayors’ signature was required to move forward.

Mrs. Desch made a motion to put stop signs on each side of 8th and Michigan.

Mrs. Williams second, with discussion to follow.

Mr. Olsen asked if the city had the stop signs and what the costs of the signs were. Mrs. Desch said she would find out.

Motion passed.

First reading: The description of the city limits will be changed from a technical description requiring an ordinance change each time there is an annexation to a general description referencing the city map available at city hall. The city engineer will be responsible for updating the map to include any changes.

Ordinance 1876-AN ORDIANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA, REPEALING CHAPTER 1.16 OF THE LIBBY MUNICIPAL CODE ENTITLED “CORPORATE LIMITES” AND ADOPTING A NEW CHAPTER 1.16 OF THE LIBBY MUNICIPAL CODE ENTITLED “CORPORATE LIMITS.

**1.16.010-Corporate limits designated**.

The corporate limits of the city include all the lands described upon the “Official Map of Libby, Montana.” kept at the Clerk’s offices of the City of Libby. Such map shall be altered upon changes in the city boundaries adopted be the City Council though annexation or otherwise.

**1.16.02 –Marking boundaries**.

The city engineer shall be responsible for suitably and properly marking the city boundaries and shall be responsible for making any and all subsequent changes on said map.

Mr. Olsen made a motion to accept the Corporate Limits designated per Ordinance 1876.

Mrs. Raines second.

Motion passed.

First reading: This is a wording change removing reference to wards and aldermen.

ORDIANCE 1877-AN ORDIANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA, REPEALING CHAPTER 2.04 OF THE LIBBY MUNICIPAL CODE ENTITLED “CITY OFFICERS” AND ADOPTING A NEW CHAPTER 2.04 OF THE LIBBY MUNICIPAL CODE ENTITLED “CITY OFFICERS.”

**2.04.010-City offices designated.**

The officers of the city shall be a mayor, six at large nonpartisan council members, and such other officers as are authorized be the laws of the state of Montana and deemed necessary to carry out the provisions of the laws or ordinances of the city. Said officers shall be elected or appointed as specified in the laws of the State of Montana. (Ord. 1204, 1982; \_\_\_\_\_\_\_\_\_\_\_.)

**2.04.020 - Salaries**.

The salaries of the officers and employees of the city shall be set annually by resolution of the City Council.

Mr. Zimmerman made a motion to accept Ordinance 1877 titled City Officers.

Mrs. Desch second.

Motion passed.

First Reading: A wording change, removing aldermen and correcting information regarding the council election process.

ORDINACE 1878-AN ORDINACE OF THE CITY COUCIL OF THE CITY OF LIBBY MONTANA, REPEALING CHAPTER 2.12 OF THE LIBBY MUNICIPAL CODE ENTITLED “ALDERMAN” AND ADOPTING A NEW CHAPTER2.12 OF THE MUNICIPAL CODE ENTITLED “CITY COUNCIL MEMBERS.”

**2.12.010-Election-Term.**

At the time of the general election of the city, to be held the first Tuesday after the first Monday in November on every odd numbered year, there shall be elected three councilmembers. The councilmembers shall be elected for a term of four years. (Res.754,1973) ( Res.754,1973:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.)

**2.12.020-Salary designated.**

The salaries of the members of the council shall be set by resolution of the City Council. (Ord.1594 7, 2002: Ord.973 1, 1977: Ord.898 1, 1975.)

**2.12.030-Repealed.**

Mrs. Raines made a motion to approve Ordinance 1878 City Council Members.

Mrs. Desch second.

Motion passed.

First reading: Makes two meetings a month, the first and third Mondays at 7:00pm as mandatory.

Ordinance 1879- AN ORDINACE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA, REPEALING CHAPTER 2.48 OF THE LIBBY MUNICIPAL CODE ENTITLED “COUNCIL MEETINGS” AND ADOPTING A NEW CHAPTER 2.48 OF THE LIBBY MUNICIPAL CODE ENTITLED “COUNCIL MEETINGS.”

**2.48.010-Time—Place.**

Hereafter all regular meetings of the City Council shall be held twice every month, on the first and third Mondays of each month at the hour of seven p.m. at the City Hall in the city. On reasonable notice thereof, given by the city clerk or given by the mayor, the time may be changed to any other hour or place for the particular meeting.

(Ord.1517, 1996: Ord.382, 1957 ;\_\_\_\_\_)

Mr. Olsen made a motion to pass ordinance 1879 Council Meetings.

Mr. Zimmerman second, with discussion to follow.

Mrs. Raines asked would there be a problem with the current contract between the City and the City Attorney? Mr. Teske responded that it should not be an issue. The attorney could phone in for the second meeting if no specific legal advice was needed.

Mrs. Raines asked if nothing is on the agenda for a second meeting would there still be one held or could the meeting be cancelled? Mr. Teske responded by state statue there only needs to be one meeting per month, but feels there are plenty of items to be put on an agenda. Mr. Olsen wants to make the second meeting mandatory; stating there is plenty of city business. Mr. Teske agreed. Mrs. Williams stated she has always been opposed to a mandatory second meeting and will vote no. The way this is written you cannot cancel the second meeting and this will become burdensome. Both Mr. Olsen and Mr. Teske disagreed with Mrs. Williams. Mr. Zimmerman replied the second meeting could be used as a working meeting bringing the different committees together so everyone is on the same page.

Motion passed with Mr. Olsen, Mr. Zimmerman and Mrs. Raines voting yes and Mrs. Williams and Mrs. Desch voting no.

First reading: This change corrects a conflicting reference to both three miles and five miles and adopts the state standard of five miles.

Ordinance 1880-AN ORDIANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA REPEALING CHAPTER 2.32 OF THE LIBBY MUNICIPAL CODE ENTITLED “POLICE CHIEF” AND ADOPTING A NEW CHAPTER 2.32 OF THE LIBBY MUNICIPAL CODE ENTITLIED “ POLICE CHIEF.”

**2.32.010-Duties—Salary.**

The duties of the police chief shall be such as are provided by the statutes of the state or the code of the city. The salary of the chief of police shall be set by resolution of the City Council. (Ord.1594 11, 2002:Ord.1129, 1980:Ord.1069, 1979.)

**2.32.020-Duties—Five mile limit.**

The police chief and all the police officers of the City of Libby shall be and are authorized to exercise their ordinary duties as peace officers and to make arrests of people charged with a crime:

1. Within the city limits of the city of Libby; or
2. Within five miles of the city limits of the City of Libby; (Ord.1617, 2004 prior code 145;\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.)

Mrs. Raines made a motion to pass Ordinance 1880 Police Chief.

Mr. Zimmerman second.

Motion passed.

First reading: An issued citation uncovered that section 1.28.020 contained incorrect references to code numbers. This ordinance change corrects that issue.

Ordinance 1883- AN ORDINCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA REALING CHAPTER 1.28 OF THE LIBBY MUNICIPAL CODE ENTITLED “GENERAL PENALTY” AND ADOPTING A NEW CHAPTER 1.28 OF THE LIBBY MUNICIPAL ENTILED “GENERAL PENALTY.”

Mr. Zimmerman made a motion to accept Ordinance 1883 General Penalty parking.

Mrs. Raines second.

Motion passed.

First reading: The city no longer requires the clerk-treasurer post their own bond as currently stated in section B.

Ordinance 1884- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA, REPEALING SUBSECTION 2.20.010B OF THE LIBBY MUNICIPAL CODE.

Now, therefore, be it ordained by the City Council of the city of Libby, Montana, that Subsection 2.20.010B and the Subsection label “A” of Subsection 2.20.010 of the Libby Municipal Code is hereby repealed.

Mrs. Raines made a motion to approve ordinance 1884 City Treasurer.

Mr. Zimmerman second.

Motion passed.

**Council Action/Discussion:**

Mr. Williams made a motion to approve all Business licenses received to date. Mrs. Raines second. Motion passed.

Mrs. Williams made a motion to approve all claims for June 2016. Mrs. Desch second.

Motion Passed.

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

Arlene Magill, 807 Wisconsin Ave, stated the second meeting of the month was passed back in April 2008. He thanked the council for doing the right thing. Magill feels this might be a little more work but will be beneficial in the long run. It gives the public more opportunities to speak to the council. Magill also thanked the water/sewer committee for the follow up.

Ray Reisman, 516 W 6th Street, asked if the renewal of the Dog Control agreement was $10,800.00 per month. Mr. Teske responded that was the contract price for the year.

Barb Turner, 518 E 4th Street, stated there were 167 signatures to recall the mayor.

Mrs. Williams made a motion to adjourn the meeting. Mrs. Raines second. Motion passed.

The meeting adjourned at 7:47pm

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

Council President, Audray J. McCollum, City Clerk-Treasurer

Brent Teske