**APPROVED**

**The 1455th Regular Meeting of the City Council was held on Monday, October 3rd, 2016 in the Council Chambers at City Hall.**

**Call to Order:**

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

Present were Mrs. Williams, Mr. Zimmerman, Mr. Olsen, Mr. Beach, Mrs. Smith City Treasurer/Clerk Audray McCollum and City Administrator Jim Hammons.

 Prayer was offered by Benjamin Girod.

Mr. Olsen made a motion to approve the minutes from the Regular meeting # 1454 held on September 19, 2016.

Mr. Zimmerman second.

Motion passed.

**Announcements:**

 Mayor Teske announced there is an open seat on city council; the position was posted in the paper, anyone interested needs to have their resume and letter of interest submitted by October 14, 5:00 pm to city hall. Council will select the new council person on October 17. Mayor Teske urged anyone interested please apply.

**Committee Reports:**

**Cemetery/Parks:** None.

**Fire:** Mr. Zimmerman reported there were 11 calls for the month of September, 5 in city, 3 rural and 3 out of district. There will be discussion later in the meeting on the fire hall roof.

**Police:**  Sergeant Short reported there were 52 calls for the month of September, 18 citations issued and 20 arrests.

**Resolutions/Ordinances:** Mrs. Williams plans on tablingordinance #1885 and Resolution # 1886 later in the meeting.

**Lights/Streets/Sidewalks:** None.

**Building:** Mr. Beach said there will be discussion later in the meeting on the fire hall roof.

**Water/Sewer:** None.

**Personnel:** None.

**Budget:** Mayor Teske asked Ms. McCollum to have a financial statement for the 2017 first quarter ready for the November 7 council meeting.

**Finance:** None.

**City Administrator:** Mr. Hammons would like to have a meeting with the new lights/streets/sidewalk committee. He would like to talk about future projects.

**City County Health Board:** Representative will be chosen at a later date.

Mayor Teske asked council if there was a need to form any additional committees. Council had no requests.

**Hear from the public on items on the agenda:**

Arlene Magill, 807 Wisconsin, expressed concerns about the purposed interlocal health board agreement between the county and city. He stated that the length of the agreement is too long, and there is an open investigation with the past health board.

Mr. Magill asked if there had been mold test done on the old fire hall roof. Fire Chief Wood stated that Frasier Engineering had done some core sample test, he was not aware of the findings at this time. Magill said if mold was found it might raise the cost to repair the fire hall roof. Mr. Magill asked why the fire hall roof had failed. Mayor Teske stated the roof had not been maintained over the years.

Magill wanted to know about maintenance on the new roof. Mayor Teske stated the council will be working on a maintenance schedule for all the city buildings, so this won’t happen in the future.

DC Orr, 1117 Nevada, wants council to know the community is behind them regarding the new fire hall roof.

Orr urged council to move with caution regarding the purposed city county health board, suggesting the city attorney should talk to the county attorney before any decisions are made. Orr urged council to take their time and do it right.

Mr. Orr thanked the council for having the ordinance and resolutions available to the public, said that had not happened in years.

Mayor Teske thanked Mr. Orr for his concerns.

**New Business:**

Ben Scott-Libby Parks District:

Ben Scott, 402 Montana, invited council to attend the parks district meeting October 5 at 6:00pm in the Ponderosa room. Creating an interagency recreational director will be discussed. The purposed position will be overseen and funded by the city, county, park district and recreational stakeholders. Mr. Scott said the goal of creating the position is to implement the trails plan, Motorized trails, a possible ice skating rink and public pool could result from the creation of this position. Mr. Scott feels this position is needed to make things happen. Scott encouraged the city and county to come together and implement this.

Mr. Scott thanked the city for their work on the biathlon range.

Mrs. Smith thanked Mr. Scott for his perseverance on these issues.

Mayor Teske encouraged the public and council to attend.

Fire Hall Roof:

Mr. Beach stated the building committee, met last week and decided the SBS flat style roof would be the best choice to replace the fire hall roof. Beach said the committee discussed all the options and felt this would be the best way to go.

Mr. Zimmerman agreed with Mr. Beach.

Mr. Zimmerman made a motion to have TDH draw up the plans for the SBS roof system.

Mr. Beach second.

Motion Passed.

Lincoln County-New Interlocal agreement and By Laws City County Board of Health:

Mayor Teske stated council did not have to vote on this, if there were still concerns.

Mr. Zimmerman made a motion to discuss the the Interlocal agreement between the city and county health board.

Mr. Beach second, with council discussion to follow.

Mr. Zimmerman had questions on the length of the contract.

Mayor Teske responded that was the way the contract was drafted back in 2009-2010. He said other county/city health board contracts around the state were similar with extended time frames. Teske wanted council to know that the city can terminate the contract at any time.

Mr. Olsen said the contract is too long and council should not be making decisions that far in the future. He would like the contract cut down to six years.

Mr. Zimmerman wanted to know about the representation options.

Mayor Teske said the city could have a person from the council or choose an outside person. Troy and Eureka are looking for someone with a medical background or similar to represent them.

Mayor Teske requested whomever the council chooses make reports back to the council, if council decides to move forward with the agreement.

Mr. Olsen asked if the council could add a clause to terminate the contract if the health board breaks their bylaws.

Mayor Teske stated he didn’t think so, but said the city could use that as a deciding factor to terminate the contract.

Mr. Olsen asked about any property that is obtained by the health board would become permanent property of the board according to the contract.

Mayor Teske felt that referred to office supplies and not land.

City Attorney Chisholm said this was a general statement; health boards don’t usually obtain land.

Mr. Olsen wanted to know who wrote the contract.

Mayor Teske said he didn’t know. He spoke with Nick Rains and Jennifer McCully and they had the most knowledge.

Mrs. Williams responded that the contract started out with Jonathan Smith from Kalispell. Smith drafted it closely with the Kalispell interlocal agreement and bylaws. Mrs. Williams thought Bernie Cassidy (Lincoln County Attorney) went though the contract and redrafted some of it.

Mayor Teske stated this has been on the agenda three times, there is no sense of urgency but would like council to make a decision in the near future.

Mr. Olsen would like to table this until the investigation is done.

Mayor Teske said he could look into the longevity of the investigation.

Mayor Teske said it is important to have a city representative on the board so the city can have a say on the decisions that are made in the future.

Mr. Olsen made a motion to table the interlocal city county health board till October 17.

Mr. Zimmerman does not feel that any one at the county is trying to hide anything. Zimmerman wants someone to represent the city, wants the city to move forward with this.

Mrs. Smith stated the county is currently soliciting people to sit on the board. She wants the city to have representation while the board is being formed.

No second on the motion.

Mr. Beach asked if the city signed the new contract would the city be liable for any past issues.

City Attorney Chisholm said no, the city could not retroactively make itself liable for things that happened in the past.

Mrs. Smith made a motion that the City of Libby enter into the interlocal agreement with Lincoln County and other parties to form the city county board of health.

Mr. Zimmerman second.

Mr. Beach asked what kind of representative the city would choose.

Mayor Teske said that would be up to the council to choose at a later date.

Motion passed with Mr. Olsen voting no.

Ordinance 1885:

Ordinance 1885-An ordinance in initiating amendments to ordinances (zoning), second reading was tabled.

Resolution 1886:

Resolution 1886- An ordinance of the City Council of the City of Libby Montana, repealing ordinance 1359 and its subsections 17.36.010-17.36.110 of the Libby Municipal Code was tabled.

An interlocal agreement the City of Libby and Lincoln County to cooperate in the provisions of planning and emergency management services:

Mrs. Smith wanted to know if this was an amendment to the existing contract.

Lisa Oedewaldt (Lincoln County emergency management) stated the city paid Lincoln County in the past for services that she provided. Now the city will provided two rooms to emergency management and in return Lisa Oedewaldt will update the city website, provide planning serves and EMA services.

Mayor Teske asked City Attorney Chisholm if he had reviewed the contract. Mr. Chisholm said he had and he was comfortable with it.

Mr. Zimmerman made a motion to accept the interlocal agreement between the City of Libby and Lincoln County to cooperate in the provisions of planning and emergency management services.

Mr. Beach second.

Motion passed.

Resolution 1887- A resolution of The City of Libby, A municipal corporation of Montana, adopting a schedule of fees for services provided and regularly charged as specified by city code, and providing for the effective dates of all fees:

Mr. Zimmerman made a motion to accept resolution 1887.

Mrs. Williams second.

Motion Passed.

Standing Committees:

Cemetery/Parks - Peggy Williams, Allen Olsen

Building - Gary Beach, Allen Olsen, Brian Zimmerman

Resolution/Ordinances- Kristin Smith, Peggy Williams, Brian Zimmerman

Water/Sewer- Brian Zimmerman, Gary Beach

Lights/Streets/Sidewalks- Gary Beach, Brian Zimmerman, Kristin Smith

Budget/Finance - Peggy Williams, Allen Olsen, Kristin Smith

Personnel- Brian Zimmerman, Allen Olsen

Fire- Brian Zimmerman, Allen Olsen

CAG- Allen Olsen

KRDC- Brian Zimmerman

Mrs. Smith made a request that council chairs include any material related to items on the agenda in council packets.

Mayor Teske agreed and asked all council chairs to do so in the future.

Claims:

Mrs. Williams made a motion to approve all claims for the month of September 2016.

Mr. Zimmerman second.

Motion passed.

Business License:

Mr. Olsen made a motion to accept all business licenses to date.

Mr. Beach second.

Motion passed.

**Hear from the public on items not on the agenda limited to three minutes:**

DC Orr, 1117 Nevada, stated he had been frustrated in the past watching council take action without the proper information, but was glad to see this turning around. Mr. Orr felt the council acted on some bad information tonight. He would like council to take comments from the public before voting on agenda items. Mr. Orr stated that the board of health can condemn and take personal property. Mr. Orr said the city did not need immediate representation on the health board. He asked council to have real close scrutiny on the heath board. Mr. Orr volunteered to represent the city of Libby on the health board.

Lisa Oedewaldt, 335 Mahoney, asked council to list all new business licenses on the agenda so the public knows what new business are opening in town.

**Adjournment:**

Mrs. Williams made a motion to adjourn the meeting.

Mr. Olsen second.

Motion passed.

Meeting was adjourned at 8:09 pm

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Mayor, Brent Teske Audray J. McCollum, City Clerk-Treasurer