**APPROVED**

**The 1458th Regular Meeting of the City Council was held on Monday, November 21st, 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, Ms. Campbell City Treasurer/Clerk Audray McCollum and City Administrator Jim Hammons.

 Prayer was offered by Bill Cunnane.

Mr. Olsen made a motion to approve the minutes from the Regular meeting # 1457 held on November 7, 2016.

Mrs. Williams second.

Mr. Olsen stated the minutes on page 4 should reflect that Mr. Olsen did not resend the motion to nominate Brian Zimmerman for Council president.

Mr. Olsen stated the minutes on page 4 should reflect Mr. Olsen statement “because of the election fraud charge.”

Motion passed with the corrections.

**Announcements:** Paul Burnham of Morrison Maierle presented the council with an honor award from the American Council of Engineering for the engineering design on the Flower Creek Dam.

**Committee Reports:**

**Cemetery/Parks:** None.

**Fire:** Mr. Zimmerman reported there were 5 fire calls in district, 1 out of district and 5 rural for a total of 11 calls for October.

**Police:**  None.

**Resolutions/Ordinances:** None.

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

**Building:** None.

**Water/Sewer:** None.

**Personnel:** None.

**Budget:** None.

**Finance:** None.

**City Administrator:** None.

**CAG:** Mr. Olsen was not able to attend the meeting because of short notice. Mr. Olsen stated there was not a technical advisor, the ~~DEA~~ EPA, CLERK DID VERIFY THAT TAPE SAID DEA and DEQ did not want to meet with them because funding was put on hold. The EPA wants to come on properties for a last chance inspection. Mr. Olsen stated that banks may not lend on property that is not cleaned and insurance companies may not insure properties that are not cleaned.

**KRDC**: None.

**City County Health Board:** None.

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

D C Orr, 1117 Nevada, stated there was no legal basis for approving the minutes to allow Mr. Zimmerman to live out of the city limits. Mr. Zimmerman did not need council permission to live outside of city limits nor does Mr. Olsen. Mr. Orr said this would cause contention since Mr. Olsen had not asked council for permission to live outside of city limits. Mr. Zimmerman and Mr. Olsen are doing what is legal and there was no need for council to approve this. Mr. Orr feels this may cause contention since council granted this for one council member and not the other and wants this to end.

Mayor Teske replied that legal council had reviewed Mr. Zimmerman’s residency request and advised him on this. Mr. Orr asked for a written legal opinion. Mayor Teske said he would get it for him.

Charles McFarland, 69 AV B, thanked the city workers for prompt service on his water meter leak.

**New Business:**

Interview and select Police Commission members:

There were three applicants interested in the police commission Rob Dufficy, Bill Cunnane and Marvin Sa~~u~~ther. Mayor Teske asked the candidates to join city administrator Jim Hammons in the back to be summoned one at a time to express their interest in why they would like to be on the police commission.

The first candidate to speak was Rob Dufficy. Mr. Dufficy served on the police commission for the last eight years. He is excited the new mayor and council want to get the commission up and running as it should be.

Mr. Zimmerman asked if Mr. Dufficy had enough time to serve on the commission.

Mr. Dufficy replied he did. Mr. Dufficy then explained what the police commission’s duties were.

Mrs. Williams stated Mr. Dufficiy was the only applicant with law enforcement back ground.

Mr. Dufficiy said he was a retired cop from California and has been in the Libby area for 10 years.

The second candidate to speak was Bill Cunnane, 622 Michigan. Mr. Cunnane has been on the police commission since 2008, he would like to see the new commission work with the police department and the council more closely than in the past. Mr. Cunnane is originally from New Jersey and has lived in Libby for the past 15 years. While in New Jersey he helped implement FCC requirements for HAM radios after 911. Mr. Cunnane is currently involved with emergency management in Lincoln County.

Mr. Beach asked Mr. Cunnane what strong points he could bring to the commission.

Mr. Cunnane stated he is very organized and would be able to look at both sides of a problem and make the right decision.

Mr. Zimmerman asked Mr. Cunnane if there was anything he could have done in the past that would have made the commission better.

Mr. Cunnane replied that was the job of the police chief. The past chiefs have not been involved with the police commission. Mr. Cunnane would like the commission to be more involved in the future.

Last to speak was Marv Sather. Mr. Sather came to Libby in1948, taught school in Libby from 1971 until 1993. During that time he was part of the Lincoln County Study Commission as well as the Police Commission. Mr. Sather then moved to Washington State for several years and has been back in Libby for 1 Year. Mr. Sather wants to help Libby.

Mr. Zimmerman asked Mr. Sather if he would like to serve on more than one Board.

Mr. Sather said he could serve on more than one board.

Ms. Campbell asked what experience Mr. Sather could bring to the commission.

Mr. Sather replied he would do what is right for Libby because he respects Libby and law enforcement. Mr. Sather would work with the council to solve any problems.

Mr. Beach asked Mr. Sather if he had served on any boards or commissions in Washington State.

Mr. Sather replied he had not; Libby is a little different than Spokane. Mr. Sather has kept up on local issues and would like to see updated training for the officers.

Mayor Teske asked council for nominations.

Mr. Olsen nominated all three applicants.

Mrs. Smith second.

Council discussion followed. Mayor Teske stated this is a three year term with one person rotating out every year.

Motion passed.

Interview and select Planning Board (City Resident):

There were two applicants for the planning board. Marvin Sather and Gary Neff, Mr. Neff was unable to attend due to illness.

Marvin Sather stated he knows planning “as a teacher you plan every day”. He was a building and administrator in Spokane, Washington supervising over 100 teachers. Sather feels he is a very good at problem solving.

Mrs. Smith explained different aspects of the planning board and the time it may involve and asked Mr. Sather if he was still interested in serving on the board.

Mr. Sather said he was ready to serve.

Mr. Beach asked Mr. Sather what his vision of Libby was in the next 10-20 years.

Mr. Sather wants Libby to move forward, find a vision and not rely so much on outside agencies’. Mr. Sather said when he was growing up in Libby everyone was so proud of this community and he would love to see that feeling back.

Mrs. Williams thanked Mr. Sather for stepping up and wanting to help the community.

Mayor Teske thanked Mr. Sather for apply for all three boards and wanting to make Libby a place to be proud of again.

Mrs. Smith asked if Gary Neff could be considered for the board since he had been interviewed for past positions.

Mayor Teske responded that was up to the council.

Mrs. Smith made a motion to accept Mr. Gary Neff and Mr. Marv Sather for the planning board.

Ms. Campbell second.

Motion passed.

There was then council discussion on nominating a council member to serve on the planning board.

Mr. Olsen made a motion to nominate Kristin Smith to serve on the planning board.

Mr. Zimmerman second.

Motion passed.

Interview and select Heath Board Position:

There were four applicants interested in the Lincoln County Board of Health; Roberta McCanse, Lyn Thompson, Kit Branch and Lorna Shea. Mayor Teske asked the candidates to join city administrator Jim Hammons in the back to be summoned one at a time to express their interest in why they would like to be on the health board.

The first candidate to speak was Kit Branch. Mrs. Branch has been a nurse for 35 years and a patient advocate; she has lived in Libby for 12 years. Branch would like to serve on the Board of Health and be an advocate for the City of Libby. Mrs. Branch said she had some veterinary experience. Mrs. Branch feels her background would help the board.

Mr. Zimmerman asked Mrs. Branch if she served on any other boards.

Mrs. Branch stated she had served on the Libby volunteer ambulance till last June but would love to still serve the community.

Mr. Olsen thanked Mrs. Branch for helping a high school student and called her a local hero.

Mr. Beach asked Mrs. Branch what are some of the health issues affecting Libby.

Mr. Branch said there was a knowledge deficit in the community about alcohol and drug use. The public needs to be better educated on hygiene and vaccination issues.

Second to speak was Lyn Thompson. Mrs. Thompson has worked at Cabinet Peaks Medical center for 19 years in the lab with an emphasis on microbiology and computer records.

Mrs. Smith asked Mrs. Thompson what specifically she could bring to the board. Mrs. Thompson said she worked closely with the county with disease reporting and outbreaks. Thomson feels her specialty would be with the infectious part of the board, preventing infection.

Mr. Beach asked what other opportunities Mrs. Thompson could bring to the board.

Mrs. Thompson replied she would like to address the drug and alcohol problem the community has as well as addressing issue with the elderly.

Mrs. Williams asked if Mrs. Thompson had any experience with community or public heath departments.

Mrs. Thompson stated she has worked with the public health department though the hospital laboratory, as well as serving on the Montana Chapter of Professionals in Infection control.

Third to speak was Lorna Shea. Mrs. Shea is a retired nurse practitioner, she moved to Libby 21 years ago. Mrs. Shea wants to make things better, make Libby healthy and all it can be. Mrs. Shea has a back ground in sanitation, drug and alcohol issues and mental health.

Mr. Zimmerman asked Mrs. Shea what boards she served on.

Mrs. Shea is on the hospital foundation board.

Ms. Campbell asked what Mrs. Shea goals were in filling the position.

Mrs. Shea has seen some weaknesses in her practice. There are not enough options for mental health, early child hood development and the community struggles with drug and alcohol issues.

Mr. Olsen asked if Mrs. Shea had enough time to work on the health board.

Mrs. Shea said she did.

Mr. Beach asked what are some issues that impact the heath of Libby were.

Mrs. Shea feels there are drug and alcohol issues that impact the youth.

Last to speak was Roberta McCanse. Mrs. McCanse came to Libby from Kansas City, Missouri where she was a nurse and nursing teacher for 40 years. She is a big picture person and would bring this to the board. There are addiction, women’s health and spousal abuse issues that need to be addressed. Mrs. McCanse would work closely with the council to meet all concerns and would commit to attending council meetings.

Mr. Beach asked if Mrs. McCanse had held any position on a heath board in the past.

Mrs. McCanse replied that she had been involved with the Kansas City Health Department which involved a community outreach and safe transportation program.

Mr. Olsen stated Mrs. McCanse touched on some very important issues.

Mayor Teske asked council for nominations.

Mrs. Williams nominated Mrs. Lyn Thompson stating her back ground in microbiology would make a diverse Board (of Health).

Mr. Olsen nominated Mrs. Roberta McCanse.

Mrs. Smith nominated Mrs. Lorna Shea.

Mayor Teske called for the vote.

First nominee was Mrs. Thompson.

Mrs. Williams, Mr. Zimmerman, Mr. Beach, Mrs. Smith and Ms. Campbell voted yes.

Mr. Olsen voted no.

Second nominee was Mrs. McCanse.

Mr. Olsen and Mr. Zimmerman voted for.

Mrs. Williams, Mr. Beach, Mrs. Smith and Ms. Campbell voted against.

Third nominee was Mrs. Shea.

Mrs. Smith voted for.

Mrs. Williams, Mr. Zimmerman, Mr. Beach, Mr. Olsen and Ms. Campbell voted against.

Mayor Teske announced that Mrs. Lyn Thompson was the city representative for the Lincoln County Heath Board.

Council then recessed at 8:25 pm.

Council reconvened at 8:30 pm.

Ordinance 1886: An ordinance of the City of Libby Montana repealing ordinance 1829 and adopting a new chapter 7 of the Libby Municipal code entitled **“ANIMALS”** second reading.

Mrs. Smith made a motion to adopt ordinance 1886 referring to animals to correct the numbering issue.

Mr. Beach second.

Motion passed second reading.

Ordinance 1887-An ordinance of the Libby City Council repealing section 10.52.32 and amend section 10.52.35 of the Libby municipal code entitled **“PARKING** **REQUIREMENTS”** second reading.

Mrs. Smith made a motion to adopt motion 1887 as been revised.

Mr. Zimmerman second.

Mrs. Williams then explained there were slight changes in the ordinance to include diagonal parking.

Motion passed second reading.

Ordinance 1885-An Ordinance of the City Council of the City of Libby Montana repealing chapter 17.37 of the Libby Municipal code entitled “**Amendment and Changes**” ad adopting a new chapter 17.37 of the Libby municipal code entitled “**Amendment and Changes”** second reading**.**

Mrs. Smith explained this ordinance brings the planning board into the planning process and adds a fee schedule.

Mrs. Smith made a motion to adopt ordinance 1885.

Mrs. Williams second.

Motion passed second reading.

Ordinance 1888-An Ordinance of the City Council of the City of Libby Montana, amending section 17.36.050 of the Libby Municipal Code entitled **“PROCEDURE** “and adopting the amendment of section 17.36.050 of the Libby Municipal code entitled **“PROCEDURE”** first reading.

Mrs. Williams explained that if the planning board is not active zoning requests can come to the city council who will act as the board of adjustments.

Mrs. Williams made a motion to approve ordinance 1888 first reading.

Mrs. Smith second.

Motion passed.

Repositioning of the stop sign at 10th and Dakota:

Motion was tabled.

**OLD BUSINESS:**

Fire Hall Roof:

Mr. Beach said he met with the Lincoln County Fire Board, they are willing to up the rent they pay the city from $200.00 to $1000.00 per month for the next 10 years to help pay for the new roof.

Mr. Hammons has been talking with rural development on different funding and a possible grant for $50.000.00.

Mr. Beach said funding may also come from the ED fund.

Council discussed different options for financing the fire hall roof.

Decision will be made at a later date.

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

Mr. Alan Gerstenecker asked for clarification on the approval of ordinance 1888. Mr. Gerstenecker would like to see the council come up with a process for the ED funds.

Mayor Teske agreed.

Mayor Teske said that council is working on modifying the agenda to accommodate more public commit and council discussion on items not on the agenda. Council discussion followed.

Mrs. Smith would like to have a checklist for businesses applying for business license. This way council will know that businesses are complying with city zoning and have all required documentation.

Ms. Oedewaldt stated she would look over all new business licenses and make sure they are in compliance with Libby’s zoning codes.

Mr. Beach asked if out of town contractors needed a business license. Mrs. Oedewaldt stated that Ron Higgins the building inspector should be checking and making sure they have one.

**Adjournment:**

Mr. Zimmerman made a motion to adjourn the meeting.

~~Mr~~ MRS. Campbell second.

Motion passed.

Meeting was adjourned at 9:05 pm

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

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