

City of Libby Libby Montana

PO Box 1428 952 E. Spruce Street Libby MT, 59923 (406) 293-2731 Fax (406) 293-4090

www.cityoflibby.com

REGULAR COUNCIL MEETING #1673 MONDAY, MARCH 17, 2025 @ 7:00 PM COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Prayer by
- Roll Call
- Welcome/Announcements
- Approve minutes for Regular Council meetings #1672 held March 3, 2025.

REPORTS:

DEPARTMENT HEADS:

- City Administrators Report
- Streets Supervisor
- Finance
- Police

COUNCIL COMMITTEES:

- Building Blackburn request
- Cemetery/Parks- Rambo request for memorial plaque in Riverfront Park
- Fire
- Lights/Streets/Sidewalks Safety Grant/Sooter
- Ordinance
- Water/Sewer
- Wildlife

BOARDS/COMMISSIONS:

• Planning /Zoning

PUBLIC COMMENT ON NON-AGENDA ITEMS: This is an opportunity for the public to offer comments related to issues that are <u>not</u> currently on the agenda that the council has jurisdiction over. Public comment is limited to 3 minutes.

OLD BUSINESS: Each previous agenda item will be introduced by the mayor with a description of the item and explanation for the recommended <u>action to be taken</u>. Following council discussion on each item there will be an opportunity for public comment. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

NEW BUSINESS: The mayor will introduce each new agenda item with a description of the item and an explanation for the recommended <u>action to be taken</u>. Following council discussion on each item, there will be an opportunity for public comment. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

- 1. Approve April 4th Mineral Avenue Street closure for Red, White and Brews.
- 2. Approve Igniters Car Club request for annual Street Closure & Noise Variance Request, August 15 and 16.
- 3. Libby Voluneer Fire Department, 2025 Volunteers Convention (update) Steve Lauer.
- 4. Loggertown Baseball Club request to help fund Remp's Fields improvement project (discussion).
- 5. Approve committee procedure update to Council Policy and Procedures.
- 6. Approve Ordinance 2053 Distracted Driving (second reading).
- 7. Approve all claims received to date.
- 8. Approve all business license applications received to date.
 - a. 311 Mineral LLC dba Copy This Send That, 311 Mineral Ave, LLC, Copying and shipping.
 - b. Custom Wood Working, 85 Sheldon Lane, Individual, Custom woodwork, cabinets, funiture, etc.
 - c. Helen Tequila's dba Po Sam's, 119 Mineral Ave., Resurant/Bar.
 - d. Helping Hands Montana LLC, 22 Woodland Ext., LLC, House cleaning, caregiving, and errand running.
 - e. Katscan LLC, 506 Park St. trlr. 9, LLC, Cleaning service.

<u>UNFINISHED BUSINESS</u>: Each item will be introduced by the mayor (or assigned liaison) with a description of the item. Following council discussion on each item, there will be an opportunity for public comment. <u>No action will be taken</u>. Public comment is limited to 3 minutes concerning each item.

1.) Discussion to amend Libby Development Fund Policy and application process.

<u>GENERAL COMMENTS FROM COUNCIL</u>: Public comment will not be taken during this portion of the meeting

ADJOURNMENT:

The manner of Addressing Council:

- Each person, not a Council member, shall address the Council at the time designated in the agenda or as directed by the Council, by stepping to the podium or microphone, giving that person's name and address in an audible tone of voice for the record, unless further time is granted by the Council, shall limit the address to the Council to three minutes.
- All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff with no personal remarks allowed.
- No person, other than the Council and the person having the floor, shall be permitted to enter any discussion either directly or through a member of the Council, without the permission of the Presiding Officer.
- Any person making personal, impertinent, or slanderous remarks or who shall become boisterous or disruptive during the council meeting shall be forthwith barred from further presentation to the council by the presiding officer unless permission to continue is granted by a majority vote of the council.

ATTENTION:

To access this meeting electronically with **ZOOM**, Dial: 253-215-8782 Meeting ID: **4042719951** Password: **151041 Posted**: 3/13/25 Red, White & Brews 411 Mineral Ave Libby, MT 59923 (406) 293-8889 redwhiteandbrews411@gmail.com



March 3, 2025

City of Libby Libby, MT 59923

RE: Request to close Mineral Ave from 2nd Street to 6th Street April 5, 2025 from 8am-9pm

Dear Madam Mayor and Members of the City Council;

Red, White & Brews, along with other Libby businesses, are planning the 2nd annual Montana 406 Day event on April 5, 2025. We are looking to showcase Libby businesses, have local vendors, live entertainment, and fun attractions for patrons of all ages.

Together, we are asking for The City's approval to put up road blocks at 2nd Street & Mineral Ave AND 6th Street & Mineral Ave, blocking road traffic and parking on Mineral Ave from **8:00 am to 9:00 pm** for patrons to enjoy the festivities and safely meander between our businesses, vendors, and enjoy the attractions. The attractions are intended to be set up in the street in front of our store fronts. The requested time block also includes set up and tear down.

We have invited neighboring businesses to participate in this event, promoting the services or products that their businesses offer. So far, 1st Ascent, Libby Gym, Tiffany's, Scheer Bro's Hobbies, Old Soul Boutique, Lincoln County Public Health, Express Employment, Cabinet Mountain Brewing Company, Kootenai Float Co., Libby Pawn, The Pastime, Dorio's, and Fix Coffeehouse have all expressed their interest in participating.

We will obtain the appropriate event insurance and will have bathrooms and porta potties available for patrons use.

We appreciate your time and consideration. We hope you join us in celebrating Montana 406 Day and the business ventures that aspire to bring more patrons to downtown Libby.

Sincerely

Sherri Roberts Red, White & Brews

Montana 406 Day

City of Libby

From: Sent: To: Subject: mayor@cityoflibby.com Monday, March 10, 2025 4:58 PM 'Libby - Leann Monigold' FW: Igniters Street Closure Request

From: Brent Teske Sent: Monday, March 10, 2025 2:09 PM To: mayor@cityoflibby.com Subject: Re: Igniters Street Closure Request

Yes, the 3rd weekend of August, 15, 16,

On Monday, March 10, 2025 at 01:20:55 PM MDT, <<u>mayor@cityoflibby.com</u>> wrote:

Thanks Brent. Is it the 15, 16, 17th of August ? Can't remember if it is the second or third weekend.

Peggy

From: Brent Teske Sent: Monday, March 10, 2025 12:12 PM To: Peggy Williams <<u>mayor@cityoflibby.com</u>> Subject: Igniters Street Closure Request

Ms. Mayor,

the Igniters Car Club respectfully requests to be placed on the March 17th City Council Agenda for our annual Street Closure & Noise Variance Request. President Gary Rantala will attend to answer questions. Thank you.

Igniters Car Club Inc.

city.admin@cityoflibby.com

From: Sent: To: Subject: Steve Lauer Tuesday, March 11, 2025 7:46 PM City Administrator Libby Fire Dept

Sam, could you put me on the next available City Council agenda just to give an update to the upcoming State Volunteer Fire Convention please, let me know the date if you would. Steve

1

City of Libby

From:
Sent:
To:
Subject:

Kelly Morford Wednesday, March 12, 2025 9:17 AM City of Libby Re: City Agenda Item

If possible, I would like to be added to the March 17th agenda please.

This is a joint effort between LYBSA and Loggertown Baseball Club to freshen up and maintain the Remp Fields for both local athletes and visiting teams. Our list of maintenance needs includes larger-scale projects as well as smaller enhancements that can be achieved in the short term. The following list focuses on the projects that will immediately improve aesthetics, safety, and playability, with much of the work being accomplished through in-kind donations and volunteer labor.

Why This Matters

Loggertown Baseball Club is hosting a tournament on June 14-15, with 16 out-of-town teams already committed. These teams are traveling from Flathead Valley, Missoula, Bozeman, Great Falls, and Calgary, Canada. This tournament will bring a huge economic impact to our community, supporting local hotels, restaurants, and businesses. Our goal is to make a lasting impression so these teams return year after year.

One of the things we love about Libby is that it's "in the middle of nowhere." While that's true, it also makes us a perfect rendezvous location for youth sports teams from Canada, Idaho, Washington, and Montana. We want to capitalize on this and build a reputation as a premier destination for baseball and softball tournaments.

We understand that funding requests for youth sports are frequent, but we have prioritized our budget for projects that are both impactful and attainable. These upgrades will enhance community pride while also directly contributing to local businesses through increased tourism dollars.

Funding Overview

The total cost for these improvements is \$13,964. To date, we have secured \$5,500 in confirmed funding and \$3,014 in pending grant approval, leaving a funding gap of \$4,450.

Funding Source	Amount	Status
Loggertown Baseball Club	\$1,000	Confirmed
LYBSA	\$500	Confirmed
Hecla Mining	\$1,000	Confirmed
OrthoRehab	\$1,000	Confirmed
Pinnacle Home Inspections	\$500	Confirmed
Spencer Logging (in-kind)	\$1,000	Confirmed
Rocky Mountain Talent	\$500	Confirmed

Funding Source	Amount	Status
Round Up For Safety Grant	\$3,014	Pending Approval
TOTAL SECURED	\$5,500	Confirmed
TOTAL PENDING	\$3,014	Pending
REMAINING NEED	\$4,450	Requested from the City

Planned Field Improvements

- Green Screen (\$1,250) Improves safety and aesthetics by reducing distractions and enhancing player focus.
- Fence Safety Cap (\$3,014) Protective capping for the outfield fence to improve safety and prevent injuries. (Pending Round Up For Safety grant approval)
- Infield Mix (\$2,500) Locally sourced from TCI, this mix will be used to re-level playing surfaces, enhancing safety, aesthetics, and playability. It will serve as the base before applying Turface top dressing.
- Turface Infield Conditioner (\$3,200) Enhances aesthetics, improves playability, and significantly aids in drainage for better field conditions.
- T-Ball Net (\$1,000) Currently, there is no net in place. This will improve safety and separation of playing areas.
- Artificial Mounds (\$3,000 for 2 mounds) Increases field usability and flexibility, allowing both softball and baseball teams to utilize the same space. These are critical for tournament hosting, and the field flexibility opens the possibility of adding a softball tournament in the future.
- Batting Cage Nets (\$1,000 for 2 nets) Replaces existing net and adds a second cage, which is necessary for tournament hosting and improved training opportunities.
- Batting Cage Poles & Gravel (\$1,400) Includes four new poles for the batting cage and crushed gravel for a stable surface. Labor will be provided through volunteer and in-kind contributions.
- Batting Cage Turf (\$500) Covers the gravel surface to provide a solid and safe hitting area. This turf has been donated.
- Seed/Fertilizer (\$2,000) We've made significant improvements to the outfield grass over the past year. A big thanks to Justin and the city crew for keeping the sprinklers running so we don't have to start over each season. Last year, LYBSA purchased the seed and fertilizer, and we are looking to continue that effort to get the grass to more of a maintenance-only level.
- Machinery (\$1,000) In-kind donation from Spencer Logging, which will provide equipment to level playing surfaces, spread dirt, and set up the new batting cage.

City's Role & Request

We are requesting \$1-\$4,450 from the City of Libby to help close the funding gap and bring this project to completion. This funding will help improve Remp Fields, benefiting both local athletes and visiting teams.

Please let me know if the council needs any additional details before the meeting. We truly appreciate the city's support and look forward to discussing this further.

Thanks, Kelly

City Council committees

Committees of the City Council are a venue to more fully consider and develop ideas concerning selected topics and recommend actions to the City Council body. As such the established rules of the City Council ensure orderly deliberations. Committees will publicly and actively deliberate issues placed in committee promoting public engagement and input.

A. Standing Committees

The standing committees of Libby City Council are as follows:

- Budget
- Fire
- Ordinances
- Lights/Streets/Sidewalks meeting
- Building
- Water/Sewer
- Cemetery/Parks
- Finance
- Wildlife

Special committees may be created by council vote if an item of business is not covered by a standing committee. These special committee exist only as long as it takes to complete the work and report back to council with a recommended action. The creation of a temporary committee should defining the scope of work, defining

B. Conduct of Committee meetings

A majority of members of the committee constitutes a quorum. A quorum is required at properly noticed meetings to conduct committee business.

C. Committee Appointments

At the first meeting in January following a municipal general election, all committee members shall be appointed by the mayor, taking into consideration individual council members' experience and requests.

If a member leaves the council for any reason during their elected term of office, their appointed successor may fill their positions on committees or committee membership may be reorganized at the mayor's discretion. If a City Council member wishes to be appointed to or removed from a city council committee, the member shall inform the mayor in writing prior to a regular council meeting. The mayor shall officially make the announcement at the Council meeting and use mayor discretion to accommodate the request.

The Clerk shall redistribute the Committee Membership List to City Council Members and committee staff each time it is updated.

D. Selecting committee chairpersons

Committee chairpersons shall be elected by the committee following the first regular meeting of the City Council in January after the general municipal election. Chairperson selection is made by the Committee and is not forwarded to the City Council for approval.

The mayor serves as an ex officio, non-voting member of all committees and subcommittees.

E. Absence from Committee meetings

A committee member's un-notified absence from three consecutive committee meetings shall constitute abandonment of the individual membership on the committee. It is an individual committee member's responsibility to notify the committee chairperson.

F. Placing Items on Committee Agendas

Items brought to the City Council needing more in-depth discussion and gathering of facts before a decision, are sometimes placed with the appropriate committee. The request for placing items on a committee agenda may be made at the request of the council and/or mayor.

When scheduling referrals for committee discussion or consideration, a committee chair selects a date agreeable to committee members and works with the referring person and appropriate staff for any necessary information or scheduling.

G. Committee Minutes and Reports and Recommendations

Each committee shall record minutes of each meeting. Minutes shall include members present, public comments and actions taken (motions and votes) and recommendations that will require council action.

Committee reports for the council shall provide the council and public with a summary of the meetings discussion, actions and recommendations.

H. Committee recommendations and Placing Items on Council Agendas

Committee recommendations shall include action to be taken by the council at a regularly scheduled meeting. Such recommendations shall be submitted in a written memo to the mayor for placement on the next available agenda.

I. Removing agenda items from the committee's schedule

When a committee makes a recommendation to the City Council, the item shall be removed from the committee schedule.

ORDINANCE NO. 2053 OF THE CITY OF LIBBY, MONTANA

AN ORDINANCE ADDING A NEW CHAPTER TO TITLE 10 -VEHICLES AND TRAFFIC ENTITLED "DISTRACTED DRIVING" and ADDING DEFINITIONS TO 10.04.020.

WHEREAS the City of Libby has seen an increase in traffic accidents due to distracted driving related to the use of cell phones; and

WHEREAS the City of Libby municipal code is lacking specific language to deter such behavior; and

WHEREAS it is in the public interest to try and reduce traffic accidents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LIBBY, MONTANA, the following new chapter, 44, to Title 10, is hereby adopted:

New Chapter in Title 10 DISTRACTED DRIVING

DEFINITIONS:

As used in this chapter, the following terms shall have the meanings indicated herein, unless the context otherwise clearly requires that another meaning is intended:

HANDHELD ELECTRONIC COMMUNICATIONS DEVICE: Includes wireless or cellular phones, personal digital assistants (PDAs), Blackberries, smartphones, laptop and notebook computers utilizing VOIP (voice over internet protocol) technology, wireless and cellular phones utilizing push to talk technology, GPS systems, navigational systems, and any other mobile communications device that uses shortwave analog or digital radio transmissions between the device and a transmitter to permit wireless communications to and from the user of the device.

HANDS FREE DEVICE: An external device that connects to a wireless telephone, wireless communications device or electronic communications device that allows use of the device without touching the telephone or wireless or electronic communications device with one's hands, and includes voice activated technologies that can be utilized without touching the device.

IMMEDIATE PHYSICAL POSSESSION: "Immediate physical possession" means touching the handheld electronic communications device or physically holding the device in one's hand or up to one's ear. Simply having the electronic communications device on one's person or in a motor vehicle does not constitute immediate physical possession.

ACTS PROHIBITED:

- A. Use; Possession: No person shall use or have in their immediate physical possession a handheld electronic communications device while operating a motor vehicle, motorcycle, quadricycle, or a bicycle on a public highway as defined in Montana Code Annotated section 61-1-101(23) within the city limits.
- B. Driving when the driver's view or driving mechanism is obstructed by the number of passengers or load in the front seat as specified in 61-8-360 MCA-Obstruction to driver's view or driving mechanism.

EXEMPTIONS:

- 1. This provision shall not apply to any person reporting a health, fire, safety, or police emergency.
- 2. This provision shall not apply to governmental fire agencies, ambulance services, law enforcement agencies, emergency responders, or any other "authorized emergency vehicle" as defined in Montana Code Annotated section 61-8-102(2)(a).
- 3. This provision shall not apply to passengers in a motor vehicle, or persons using a handheld electronic communications device while maintaining a motor vehicle in a stationary position, not in gear, while in a parking lane or space out of moving traffic lanes.
- 4. This provision shall not apply to persons using a "hands free device". Use of a hands free device is permitted while operating a motor vehicle provided the driver does not touch the wireless telephone or wireless or electronic communications device with one's hands while operating a motor vehicle.
- 5. This provision shall not apply to drivers using two-way radios while in the performance and scope of their work-related duties.
- 6. This provision shall not apply to drivers holding a valid amateur radio operator license issued by the federal communications commission while using a two-way radio.

VIOLATION-PENALTY:

Any person violating a provision of this chapter for which another penalty has not been provided shall, upon conviction thereof, be fined as set forth in <u>Section 1.28.010</u> with a minimum fine of \$85.

This Ordinance is effective thirty (30) days after its adoption by the City Council of the City of Libby, Montana, and signing by the Mayor thereof.

FIRST READING and approved by City Council on the 3rd day of March 2025.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA on this 17th day of March 2025.

Attest:

Peggy Williams, Mayor

Leann Monigold, Clerk/Treasurer

City of Libby Community Development Fund Application and Guidelines for Submission

Thank you for considering the City of Libby's Community Development Fund for your project. The following provides additional guidance of the purpose of the fund; and acts as an aid to strengthen your application and make sure it is in alignment with the requirements of the policy.

Our goal is to foster community and economic development initiatives for the City of Libby by using this fund to provide gap financing and successful leveraging of additional funds and investment into this community. These funds are not intended to be standalone monies for projects.

These are scarce funds and the City is committed to deploying monies on projects that can prove community wide impacts and strategies for project completion within 2 - 3 years to ensure timely community benefit.

The first step is to complete the attached application. The City is requiring documentation to ensure the Council can establish due diligence and make an informed decision. Requests for additional documents will <u>vary</u> according to the project and phase. We ask that you always start with a telephone call to then guide you on the documents required. The following are some baseline requirements.

- 1. Narrative on the completed project, details of the specific request, how it fits in to the completed project costs.
- 2. Total Project Cost and detail of the budget.
- 3. Narrative on the funding matrix to provide some reasonable certainty of project completion. Please include a description of the funding sources and the level of commitment or work to date with these funding sources.
- 4. Proposed timeline of the complete project.
- 5. Description of the project owner's capacity to complete the project and experience with the final project management.
- 6. List of Community wide benefits. Quantifying these benefits when relevant will strength the application.

City of Libby
Community Development Fund
Application

Application Date: _____

Received by the City:_____

APPLICANT INFORMATION

Is this a business?	Sole Prop. Corporation LLC] Partne	ership	
Other					
If business:					
Legal Business Name Mailing Address:		ear Bus arted	siness		
Physical Address:					
Tax ID	Phone No.:				
Are you current on a	all Payroll, Income and Property Taxes?		Yes		No
ls your business reg	gistered with the Secretary of State?		Yes		No
ls your business qu	alified to do business in Montana?		Yes		No
Is the business or legal action?	any members a defendant in a suit of	r 🗌	Yes		No
Has the business o or has a judgment a	r any members gone through bankruptcy against them?	′ 🗆	Yes		No

3

GRANT REQUEST

Short Description of the Project:
Total Project Cost:
Amount Requested from Community Fund:
Use of Grant Request:

Everything that I/we have stated in this application is correct to the best of my/our knowledge. I/We understand that you will retain this application whether or not my/our request is approved.

Applicant Signature

Applicant Signature

Date

Date

City of Libby

POLICY FOR USE OF COMMUNITY DEVELOPMENT FUNDS

BACKGROUND

In 2001 the City of Libby received \$8 million from a federal earmark to assist in economic stimulation following the demise of the timber industry and the discovery of asbestos in the community. The Libby Area Development Company (LADC) was formed and distributed money in the form of grants and loans without many guidelines. Several large and important distributions were made such as to help create the Libby Memorial Events Center and development of an additional nine holes at Cabinet View Golf Course. LADC dissolved in 2015 though the City took control over the funds in 2005. The Fund now has approximately \$520,000 remaining and the City desires to have a clearly defined purpose for expending those funds and metrics by which to evaluate their use and any necessary repayments.

PURPOSE

The City believes that other organizations are better equipped with staff and knowledge to loan money to businesses and organizations as gap financing for the purpose of job creation; expansion or capital investment; and that the City should pursue activities that help create the environment for businesses to succeed through community development and investment. To that end, the Fund will hereby be used to leverage other monies related to City projects that can be demonstrated to be in support of community development activities. No new loans to area businesses will be granted.

1. POLICY OBJECTIVES

The objective of this policy is to guide and assist in fostering community development initiatives in order to become an attractive, viable and sustainable place for Libby's citizens, new and existing businesses and visitors.

To complement the policy, the City of Libby will vigorously maintain relationships with local agencies and private industry so that public/private partnerships are cultivated for the deployment of the Funds on eligible projects. It is expected that a description of any anticipated return on investment (i.e., value received) will be prepared with each proposed use of funds.

2. USE OF FUNDS

Funds may be used for projects that:

- (a) Improve infrastructure in the Downtown or other commercial areas within the limits of the City of Libby;
- (b) Enhance the City's recreational and tourist opportunities;
- (c) Enhance the City's appearance and functionality;
- (d) Acquiring land, building or real estate with the express goal of re-investment for purposes stated above.

The Fund may **not** be used for the following purposes...:

- Equipment Purchases
- General Fund Operating Expenses

3. PROJECT ELIGIBILITY AND REVIEW

City Council will be the decision –making body for all requests to use the Community Development Fund and will evaluate each expenditure based on the following criteria:

- Is the proposed use for matching grant funds? What percentage? Are there multiple matching sources, and/or partners?
- Is the project a single-phase or multi-phase project? If multi-phase, will more funds be requested at future phases?
- Is the proposed use for infrastructure? What type and how many beneficiaries?
- Is there an opportunity for the funds to be replenished?

The policies stated herein are adopted and are, at the Council's discretion, revised from time-to-time as needed. Said policies affect decisions made by the City of Libby regarding use of the Community Development Funds made on or after the effective date. No loans existing prior to the effective date will be affected except where collection or liquidation processes are necessary to be enacted.

Dated:

Per Review and Acceptance of the City Council on $\frac{May}{L}$ 1, 2017