

MCA 2-3-212. Minutes of meetings. Minutes must include without limitation: (a) the date, time, and place of the meeting; (b) a list of the individual members of the public body, agency, or organization who were in attendance; (c) the substance of all matters proposed, discussed, or decided; and (d) at the request of any member, a record of votes by individual members for any votes taken.

APPROVED MINUTES

The Libby City Council held regular meeting #1676 on Monday, May 5, 2025, in the Council Chamber at Libby City Hall.

Call to Order:

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

Present were Mayor Williams, Councilors Melissa Berke, Gail Burger, Ethan Kolp, Kristin Smith, Hugh Taylor, Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and (via Zoom) City Attorney Dean Chisholm. Councilor Brian Zimmerman was not in attendance.

Announcements: Mayor Williams welcomed all those present. Kristin wished all the mothers a Happy upcoming Mother's Day. Mayor Williams mentioned the new Farmers Market location and how nice it looks. No other announcements.

Approve minutes for Regular Council meetings #1675 held April 21, 2025:

Councilor Berke **MADE A MOTION** to approve City Council meeting minutes 1674, Councilor Smith **SECONDED**.

Mayor Williams asked if there was any discussion or corrections. None mentioned.

Public comment: None

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Department Head Reports:

Administrator: Administrator Sikes reported that he has been working with the Police Department and determined there is no efficient way to enforce parking within the city right- of- ways. He prepared a packet and would like to put it into the committee to look at changes to the ordinance.

Mayor Williams suggested Mr. Sikes might add that this is problematic in the winter with snowplowing.

Water: Mr. Sikes reported that with the seasonal runoff, the water plant has been working hard to keep turbidity at acceptable levels to hopefully avoid a city boil order. Plant operators and streets crew have been doing an incredible job.

Sewer: Mr. Sikes has been in contact with Jim Dunnigan, MT FWP Libby Dam Mitigation Coordinator concerning the discharge permit for our sewage treatment plant. FWP, US Army Corps of Engineers, and Bonneville Power are working on a fisheries mitigation project which would involve adding 3.4 parts per billion phosphorus to deal with the “didymo algae,” a.k.a “rock snot” to enhance the food web for the local trout population. Part of the project is looking at how much phosphorus, if any, is being discharged from the sewage plant.

Other: The Contract was finalized with NRDP and WWC Engineering on the Hydrology Study and Spoils Pile engineering plan. Sikes stresses that this phase only covers the hydrology study and spoils pile analysis. Sponsored by the NRDP as Phase 1, it will cost just under \$60k and is part of a \$250,000 grant. Once analysis is complete, it will be presented to the council who will make the decision whether to move onto Phase II, removing the pile and building a parking lot or not.

Good news: HB-6 has approved \$125,000 for the lift station; Libby will receive \$500,000 from MCEP also for the lift station.

Streets Supervisor: Supervisor Justin Williams reported the continuation of jetting, patching and sweeping. Ball fields have been getting spruced up and are looking great. Screens at lower reservoir plugging with algae, keeping crews busy. Skateboard ramp at Fireman Park progressing and due to open May 10. Rambo Memorial at Riverfront Park has been a joint effort with MDOT. The base is in the ground for the plaque and the event is scheduled for May 25. The crew has been doing topsoil work around Spruce trees in the overflow parking at Riverfront Park. Street shop employees attended a defensive driving course put on by MMIA.

Three failing trees were removed at Fireman Park. Concrete work at FVFD near completion.

Seasonal employees, Derek returned April 8 and new employee, Troy begins May 7.

The department had 9 water leaks and replacements, 1 new sewer service line, 6 new water service line requests and installations.

TCI began water leak repairs on April 8 and finished on April 29. Total of 10 leaks with accumulative loss of 20,404,000 gallons figured based off actual hole size.

The city has started water leak survey repairs today and should be wrapped up by the end of the month.

Councilor Smith asked about a street opening permit process instituted a couple of years ago and how it works.

Mr. Williams stated it is going well with people getting permits at City Hall, paperwork is tracked, when asphalt plants are open, he notifies those with permits. When repairing leaks, if workers run into lead service lines, they are removed and replaced with updated lines.

Police: Chief Ercanbrack reported that May 1 was his second year as Chief. The council and Mayor thanked him for his service. The Chief reports April had 180 calls, compared to 107 in 2024. We had three assault cases, eight disturbances, two threatening calls, three thefts, 10 suspicious calls, seven crashes, six DUIs, two mental health calls, six vagrant calls, seven welfare checks, 14 public assists, three juvenile problems, five city ordinances. Officers completed 24 walk-throughs in bars and 22 traffic stops.

The special Olympics was May 1, showing a great turnout and officers were ecstatic about participating.

The new patrol car turned out phenomenally well and the electronics are great.

Unfortunately, the Road to Zero grant was not approved.

The shed built at the gun range with the LOR grant turned out great and is a good environment for training.

Finance: None, as the Clerk is out this week.

Committee Reports:

Budget: Mayor Williams reports the budget committee had a meeting, because Gail and Ethan are new, they walked through the process of putting the budget together. They will work on this in upcoming meetings.

Building: Committee meeting on April 22 to discuss the Blackburn proposal. Discussion followed to allow a one-year agreement at \$200 a month at the Riverfront Park location. Recommendation of the committee is to move this forward to the council. They are inspecting cracks in logs at Fred Brown Pavilion and the roof at the ball fields.

Cemetery/Parks: None

Fire: None

Ordinance: None

Wildlife: None

Public Comment on Non- Agenda Items:

Mayor Williams explained that the Fire Marshall, Steve Lauer had asked to be on the agenda regarding their Fireman's Convention, however, that missed somehow. She offered Mr. Laurer the opportunity to speak at this time.

Mr. Laurer asked for a street closure from the front of the fire station to the alley on June 13-14 for this event.

Mayor Williams assured him it will be on the next agenda.

No other public comments on non-agenda items.

Old Business: None

New Business:

Approve Resolution # 2054 Intention to annex JB Tires, 1115 W. 9th St. (32032 US Hwy 2):

Approve Resolution #2054 Intention to annex JB Tires, 1115 W. 9th St (32032 US Hwy 2.) Mayor Williams explained the resolution, reading it aloud. Councilor Smith made a correction on the clause saying the Zoning Commission meeting on May 5, should be changed to April 28. Mayor Williams acknowledged the error to be corrected.

Councilor Berke **MADE A MOTION** to approve Resolution # 2054 Intention to annex JB Tires, 1115 W. 9th St. (32032 US Hwy 2), Councilor Burger **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Approve awarding bid for Spruce Street reconstruction – Phase II to Thompson Contracting, Inc:

Mayor Williams explains there were two bids, TCI was the lowest.

Councilor Berke **MADE A MOTION** to approve awarding bid for Spruce Street reconstruction – Phase II to Thompson Contracting, Inc, Councilor Burger **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Approve Land Use Agreement with National Guard for us of Riverfront Park for training:

Councilor Berke **MADE A MOTION** to approve Land Use Agreement with National Guard for us of Riverfront Park for training, Councilor Smith **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Approve Resolution #2053 Western Montana Region Hazard Mitigation Plan:

Councilor Berke **MADE A MOTION** to approve Resolution #2053 Western Montana Region Hazard Mitigation Plan, Councilor Taylor **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Building Committee recommendation on Blackburn request for land use at Riverfront Park:

Councilor Taylor reports: the Building Committee met on April 22 and settled on a \$200 per month, one-year trial, to see how it goes. Mayor Williams asked if there are any restrictions. Councilor Smith inquired if the recommendation is for the area on the railroad tracks side. It is to be a 12-14' by 24' fly shop, per Mr. Taylor.

Councilor Smith **MADE A MOTION** to approve the proposal, Councilor Kolp **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Approve all claims received to date:

Councilor Berke **MADE A MOTION** to approve all claims received to date, Councilor Smith **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Approve all business license applications received to date:

Azure's Mobile Ice Cream, Flawless Fleet, Julie's, WD Wuest Plumbing, Wylee's Frozen Treats Co.

Councilor Berke **MADE A MOTION** to approve all business license applications received to date, Councilor Burger **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor, voted **FOR**.

MOTION PASSED.

Unfinished Business:

Discussion to amend Libby Development Fund Policy and application process:

Mayor Williams had listened to the tape and made changes in red. No loans to local businesses, comments?

Councilor Burger comments the first and second parts look good. The third part should be changed from grants to matching funds.

Mayor Williams asked for any questions or comments, and if this version meets everyone's requirements.

Councilor Smith: A really good practice (requiring receipts for disbursement of funds), which we started doing with the Golf Clubhouse. People must provide proof of where the money is used.

Councilor Burger: Did not care for the questions on the form about "Are you current on all Payroll, Income and Property taxes.

Mayor Williams said a person could write NA in that section. Mayor Williams will get this on the agenda for approval at the next council meeting.

Street Committee's recommendation regarding the abandonment of the city owned right-of-way off City Service Road:

Mayor Williams stated we are not ready to move forward with a decision just yet. Mr. Sikes previously called the Sooters to let them know the decision would not be made tonight.

General Comments from Council:

Councilor Smith commented with concerns about the hateful rhetoric online and the really divisive language, that just doesn't help each other. Imploring landlords to please be mindful people are struggling to find affordable housing and asks with the new housing being built, to figure how they could do their part to help the community.

Mayor Williams commented on Montana League's summary of the laws passed are on their way to the governor's signature, and it is unknown now, how those are going to affect us, especially the ones regarding property tax and the 4% cap. Hoping for clarification when Leann returns from training.

It was noted that distracted driving did not pass at the State level.

IP- Mayor Williams said they met in early April with a changed attitude, but not much follow-through on that conversation. IP attorney putting together a draft of a continuation of the 2010 agreement. We are cautiously optimistic at this point. The mayor entertains a motion to adjourn.

ADJOURNMENT:

Councilor Burger **MADE A MOTION** to adjourn, Councilor Smith **SECONDED**.

Councilors Berke, Burger, Kolp, Smith, and Taylor voted **FOR**.

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:47 pm.

Mayor Peggy Williams

Attest: _____
Deputy Clerk Glenda Cady