

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 #1687 on Monday, October 20, 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, Brian Zimmerman, Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and (via Zoom) City Attorney Dean Chisholm.

Announcements: Mayor Williams announced leaf pickup will be October 29th and 30th, a second pickup opportunity will be November 5th and 6th. Reminding everyone winter parking ordinance goes into effect November 1st, people need to start moving vehicles, boats, and campers from city streets and some right-of-ways before snow season.

Committee Reports:

Administrator: Administrator Sikes reported there was a meeting with WWC Engineering regarding the Spoils Pile Project, going over the 90% completed draft of the engineering and hydrology study. The Biathlon Ski Course group had a chance to review the plan and had a few recommended changes. The final plan, which should be complete within the next 7–10 days, will include “Option D,” a lower-cost and more efficient plan that adds a French drain and settling basin designed to slow and capture water runoff while protecting groundwater. The plan fits within the existing \$250,000 project budget, though future funding could allow for a larger parking area.

Phase II of Spruce Street reconstruction is running slightly behind schedule. Mike Fraser, the mayor, and TCI have gotten together to go over contractual requirements. TCI expects to have curbs, paving, and sidewalks complete within the next week and a half.

Reese Court leak, the initial water flow filled a five-gallon bucket in two and a half minutes but has now slowed to three minutes for a single gallon, indicating the leaks have been repaired. Scott Thompson and city crew will continue monitoring until snow flies and then check it again come spring.

Regarding the lower reservoir, Mr. Sikes reported continued seepage along the wing walls. The City brought in new city engineer Andy Evanson and several contractors to inspect the site the plan is to inject a drinking-water-safe epoxy, no against DEQ regulations, to seal the leaks and backfill with locally sourced clay to reinforce the structure. This is considered a long-term temporary fix while the Water PER is completed to pursue permanent funding. The DNRC has a \$30,000 emergency response funding available for such repairs. Due to the urgency, it could not wait until the next meeting, so Mayor Williams signed the request. The full project cost is estimated at \$36,000, requiring a \$6,000 local match.

Mr. Sikes informed Council the City provided 10,800 gallons of treated water to assist the emergency in Deer Lodge after the prison's water main blew out.

Lastly, MMIA will no longer provide workers' compensation insurance to cities after July 1, 2026. The City will begin reviewing a transition to Montana State Fund or another provider.

Councilor Smith inquired if there was just one alternative being presented for consideration of the Spoils Pile. Mr. Sikes confirmed that Options A–C were reviewed, but Option D was ultimately selected because it was less expensive, safer, and provided better hydrological performance.

Mayor Williams stated the primary thing is to protect the groundwater first before considering the parking lot.

Mayor Williams inquired if any Council members had an objection having signed the emergency declaration request for the DNRC money. No objections were voiced.

Committee Reports:

Lights, Street, & Sidewalks: Councilor Burger announced there would be a committee meeting November 5th at noon.

Public Comment Non-Agenda:

DC Orr expressed concern about communication and transparency between the City and the Lincoln County Port Authority. He encouraged the Council to keep the public informed regarding development activities and potential impacts on City utilities and infrastructure.

Rocky Gifford commented on two-hour parking enforcement downtown, requesting stricter enforcement or removal of the signs.

New Business:

Approve Legal Services' Agreement related to AFFF/PFAS Litigation Services – decision:

Mayor Williams reintroduced the proposed Legal Services Agreement and read Resolution #2063 authorizing participation in PFAS litigation. Explaining the agreement with Edwards & Culver, Kovacich, Snipes, Johnson PC, Boone Karlberg PC, Stag Liuzza LLC, and Client First Legal PLLC would allow the City to participate in potential PFAS class action litigation at no cost unless settlement funds are awarded. The action is precautionary; no PFAS contamination is currently found in the City's water.

City Attorney Chisholm confirmed the resolution authorizes execution of the agreement.

Councilor Smith **MADE A MOTION** to approve the Legal Services' Agreement related to the AFFF and PFAS litigation, Councilor Zimmerman **SECONDED**.

Public Comment:

DC Orr objected to language in the resolution's second "whereas" clause stating the City "identifies parties responsible for increasing the cost of water treatment and system maintenance." He stated that claim was inaccurate and requested Council remove the clause before approval.

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

MOTION PASSED.

Approve Resolution #2062 providing for the amendment of the budget for the fiscal year 2025-decision:

Mayor Williams announced that Resolution 2062 amending the current budget was postponed until a public hearing could be held.

First Quarter budget review:

Clerk/Treasurer Monigold presented the first-quarter FY2025 revenue and expenditure report for the period ending September 30, 2025.

Explaining that most revenues are on track. Property tax revenues are low because the first large tax check is not received until December. Street opening permits are slightly higher than average, with six issued this year compared to the usual eight to nine annually. Camping facility revenues are higher due to July and August being the busiest, water and sewer plant investment fees are higher because the Cabinet Affordable Housing Project has paid its fees.

Expenditures are within budget except there was a \$5,800 unanticipated police radio update for dispatch in the police budget. Miscellaneous seems higher than it should be because that is our insurance premiums, they are paid once a year.

Ms. Monigold noted two adjustments to be clarified with the auditor: one payroll accrual under Building Code Enforcement and one under the BARS fund due to an accrual reversal. A miscoding under the water utility loan line will be corrected.

Public Comment: none

Approve all claims received to date:

Councilor Burger **MADE A MOTION** to approve all business claims received to date, Councilor Zimmerman **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Approve all business license applications received to date:

Great White Construcion LLC and Max Mountain Cleaning.

Councilor Zimmerman **MADE A MOTION** to approve all business license as long as they're signed off by all those that are needed, Councilor Smith **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Unfinished Business:

Chamber of Commerce request for long-term building lease-Discussion:

Mayor Williams reported no updates from the Chamber. Stating the City's proposed lease language was provided to them for review, the Chamber is figuring out how to get the wording that they own the building, the City feels the lease proposed to them is the best option, we have opened it for them to propose any changes, so awaiting for their response.

Councilor Smith suggested the Chamber first poll the Council as to whether that is something Council would be interested in before they go to that effort.

Grant Writer/Community Development Coordinator Job Description-Discussion:

Mayor Williams presented a draft Community Development Coordinator / Grant Writer job description derived from the earlier KRDC / City person and transferred that to be a City of Libby person. Recommending the position be structured as a contractor (1099) rather than an employee due to the pay matrix and benefit limitations.

Councilor Burger urged posting the position publicly to identify interested local applicants. Councilor Berke supports the idea of a 1099 position. Discussion continued about a 1099 position.

Public Comment: None

General Comments from Council:

Mr. Sikes clarified for the record that the City's water treatment plant capacity is 1.4 million gallons per day, currently averaging 1.1–1.2 MGD, and the wastewater plant capacity is 500,000 gallons per day, currently processing 250,000–260,000. He emphasized both systems have capacity for future development and all new developments are required to pay plant investment fees, noting the new hotel project will contribute over \$100,000 in impact fees.

Mayor Williams reiterated that the City is not subsidizing any Port Authority development costs and noted the Port extended City sewer to its property years ago at its own expense.

Councilor Smith stated it was important to correct misinformation and reaffirmed that developers pay all their own costs.

Councilor Burger agreed, adding that she has no interest in applying for the proposed Community Development position and wanted to dispel that rumor.

Councilor Zimmerman stated it was not long ago there were updates on the water and sewer infrastructure.

Councilor Smith wished everyone a safe Halloween and hunting season.

ADJOURNMENT:

Councilor Zimmerman **MADE A MOTION** to adjourn, Councilor Berke **SECONDED**.

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:38pm.

Mayor Peggy Williams

Attest: _____

Clerk/Treasurer Leann Monigold