

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 #1690 on Monday, December 1, 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 applications are being accepted for upcoming City Council vacancy and Planning Board positions. Planning Board positions are available for residents within city limits or the one-mile planning area boundary. EPA is hosting a public meeting Wednesday at 6pm in the Ponderosa Room regarding the mercury cleanup, interested residents call Eric Sandusky at 720-768-3514 to schedule home inspections. Spruce Street is now open, parking available for the EPA meeting. Public hearings for the Timberlands subdivision preliminary plat, annexation, and zoning are scheduled for December 15th.

Approve minutes for Regular Council meetings #1690 on Monday, December 1, 2025:

Mayor Williams noted two corrections: meeting #1688 states "approved" at the top when it should say "unapproved," and meeting #1689 incorrectly states NRD funds available were from International Paper when they were from the WR Grace settlement.

Councilor Zimmerman **MADE A MOTION** to approve City Council meeting minutes 1688 and 1689, Councilor Burger **SECONDED**.

Public Comment:

DC Orr submitted written comment expressing concerns about inaccuracies in the minutes and alleged violations of public comment procedures.

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

MOTION PASSED.

Department Head Reports:

Administrator: Administrator Sikes reported Andy (Evanson) is coordinating with Noble to repair the lower reservoir using large geo sandbags placed around cracks, sealed with JB Weld, backfilled with clay, and replaced rip rap. This long-term temporary fix allows time to complete the (Water)PER and secure funding for full replacement, estimated at \$3.8 million with \$1 million available in grants, the remainder from capital improvement funds or borrowing. A PER(wastewater) startup meeting is tomorrow 2-3pm with engineers to discuss requirements, timelines, and priorities, expecting completion in May for the next grant cycle. The spoil pile is on tonight's agenda. Phase II Spruce Street reconstruction is complete with a list of discrepancies to be fixed in spring. Department of Revenue's back door on City Hall side is closed. The city submitted a \$30,000 MSEP grant application for wastewater PER, adding to the \$40,000 RRGL already approved for the \$78,000 project. Deputy Clerk/Treasurer Raymondo was hired and is doing well. Council position vacancy applications are available at City Hall and the city website.

Streets: Justin Williams reported for November leaf pickup was completed, lower dam hoist cable replaced, three tree removals, jetting, sweeping, pothole patching, and 20 faded stop signs replaced citywide. Ryan Wood completed CDL class and is licensed. Both motors and de-ice trucks are prepped for winter. DOD dump truck received and in the shop. Brushing completed west side Riverfront Park along property line. One water disconnection by golf course, now on well. Fire suppression lateral installed at new Cabinet Peaks Rehab building Second Street. Two water main taps on Commerce Way for housing project, new valves for isolation. New water service line to trailer court. Minor repairs on police cruisers. Water service line replaced on Mineral Avenue in front of coffee shop from main to curb stop, including sidewalk panel and asphalt patching last week. Spruce Street wrapped up with punch list for spring. Summer equipment winterized. New valve camera riser placed behind Thompson search and rescue for better access. Christmas star turned on Friday. Mr. Williams thanked his crew and gave Councilors Berke and Smith a farewell and thanked them for helping the community and fellow council members.

Police: Chief Ercanbrack reported 357 cases in November compared to 167 last year: 3 assaults, 10 disturbances, 5 threats, 2 thefts, 5 mental health, 0 vagrancy, 25 public assists, 1 juvenile, 5 walk-throughs, 22 ordinances, 31 suspicious, 5 crashes, 4 DUIs, 130 traffic stops, 63 agencies. November roads are extremely slick today with 10 crashes countywide, one in city. MHPS is stretched thin and deputies are responding to crashes, ambulance crews have been very busy, reminding everyone to slow down and drive safely.

Finance: Clerk/Treasurer Monigold reported receiving documentation from auditor for AFR, will complete and submit before December 31st deadline.

Committee Reports:

Cemetery/Parks: Mayor Williams reported the wings are at Montana Machine for cleaning, Charlie Bergett will make them look "more Toddish" so the plaque fits on the front frame, installation is still scheduled to go at the school.

Fire: Councilor Zimmerman reported LVFD responded to 9 calls in October: 4 city, 5 Rural Fire District, 1 structure, 1 vehicle, 2 chimney, 3 false alarms, 2 miscellaneous, totaling 102 calls for the year. November also 9 calls: 5 city, 3 Rural Fire District, 1 outside, 1 vehicle, 2 ambulance mutual aid, 2 false alarms, 1 fuel spill/hazmat, 3 miscellaneous, total 111 for 2025.

Lights/Streets/Sidewalks: Councilor Burger announced meeting Wednesday at noon. Mayor Williams added VFW parking lot lease proposal to committee agenda.

Public Comment Non-Agenda:

Sherry Turner, Heritage Museum, invited the city to join their application for the five-year Montana tourism grant. The museum has applied unsuccessfully for the past two years but received guidance from state officials on improving the application. A draft feasibility study for the Shay locomotive project shows the train exhibit will generate enough revenue at \$10 to \$12 per ticket to cover annual maintenance and insurance costs. The study projects \$1.2 million per year in economic impact to Libby through visitor spending on lodging, meals, gas, and incidental purchases in town, separate from museum ticket sales and gift shop revenue. Following state guidance that grant funds should benefit broader community projects, the museum is requesting \$550,000 of the \$2.75 million available grant allocation. The final feasibility study will be completed by end of the month for the January 22 application deadline.

John Beebe expressed gratitude to departing council members for their public service and welcomed incoming members, emphasizing the importance of civil public discourse and community.

New Business:

Approve WWC engineering plans to build a parking lot at Flower Creek Cross-Country ski course:

Councilor Kolp inquired about city plowing obligation. Mayor Williams clarified the county plows the road, the city is not necessarily responsible.

Councilor Taylor had concerns about maintenance expenses, and the Cross-Country Ski Club should be responsible since they are benefiting. Councilor Smith agreed.

DC Orr attempted to comment on hazardous materials buried in the pile. Councilor Zimmerman called **POINT OF ORDER**, not related to the parking lot.

Joe Taylor, Cross Country Ski Club president, explained the club promotes health and wellness through 13 miles groomed trails on Kootenai National Forest, state, city land at Flower Creek. Club served 40+ years with after-school classes, developmental teams, race programs. This year 35 students grade 5-8 in Kootenai outdoor adventure January. "Lessons for littles" age 7+, 26 signed up Monday/Wednesday January-March. Developmental teams teach classic/skate skiing, biathlon. Race teams for advanced youth. Community events include races, beginner days, and night skiing. Volunteer nonprofit provides affordable rentals (Saturday 10am-1pm warming hut), lessons, biathlon range, no membership required. Safe parking is essential for school bus and parents.

Jared Lampton supported the project, thanked Mayor and Council, emphasizing the community benefit and water supply protection.

Mayor Williams confirmed with Mr. Sikes that no hazardous material was found in the spoils pile, Mr. Sikes explained there were four large test holes made with an excavator, and nothing was found. Mayor Williams explained the parking lot would be city-owned, not ski club, maintenance would technically fall to the city like other recreation facilities.

Councilor Smith inquired about a working relationship with the county and sharing resources since they already plow Flower Creek Road. Mayor Williams stated she spoke with Jerry Regh, the county would continue plowing Flower Creek Road and around that area but once developed they are uncertain about inside the parking lot, they are willing to plow the Norgaard trail parking lot, that would be adjacent to the parking lot. Ms. Smith said there would be opportunity to discuss plowing in the future and does not believe it would be enough to sabotage this opportunity.

Councilor Zimmerman asked about ski club volunteers plowing. Mr. Taylor explained he doesn't know what that would look like until it is built, but needs a parking lot first, it's better to have a usable lot and solve plowing issues later than to leave the area as an unusable spoils pile.

Councilor Smith **MADE A MOTION** to approve the engineering plans to build a parking lot, Councilor Zimmerman **SECONDED**.

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

MOTION PASSED.

Approve updated Employee Policies and Procedure Manual.

Mayor Williams explained the manual was updated with Mr. Chisholm's recommendations from last meeting and the weapons section questions were addressed.

Councilor Zimmerman **MADE A MOTION** to update the employee policies and procedure manual, Councilor Burger **SECONDED**.

Public Comment: None.

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

MOTION PASSED.

Mayor Williams pointed out it is possible to update any section at any time because it is a living document. When the CBA is updated, sometimes it is forgotten to update the Policies and Procedures.

Approve 25-year lease with Libby Area Chamber of Commerce:

Councilor Kolp **ABSTAINED**, partner works at the Chamber.

Councilor Zimmerman **MADE A MOTION** to approve the 25-year lease with the Libby area chamber of commerce, Councilor Smith **SECONDED**.

Public Comment: None.

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

MOTION PASSED.

Chamber of Commerce request for city support for Montana tourism development grant-introduction:

Mayor Williams explained the reason the Chamber needed the long-term lease is regarding their building and the grant that they are pursuing to replace that building. The grant happens to be the same grant as Sherry Turner is looking for, but the city has been communicating with the Chamber about including the Mineral Avenue Improvement Project in their grant request, which would allow the city to have a leg up in getting the sidewalks and lighting portion of the Mineral Avenue Project. Before moving forward, the Chamber would like to know they have the city's support.

Jackie Zielinski with the Chamber of Commerce explained that the Montana Tourism Development Grant application is due January 22. This grant continues the city-Chamber partnership on revitalization and rebranding efforts ongoing since 2016. If awarded, the grant would fund projects to enhance visitor experience and strengthen Mineral Avenue's appearance and appeal, aiming to increase tourism revenue to Libby. The project requires no financial contribution from the city, only participation as desired. Specific project details

are not yet determined. If awarded, the first year would be dedicated to development and planning. The Chamber cannot proceed without city support.

Councilor Smith fully supports both the Chamber's and Heritage Museum's pursuit of the grant but expressed disappointment it couldn't be one complete grant from the City of Libby with all projects together. Councilor Smith inquired if the Mineral project could be included in the Chamber's application, as well as the Shay's application, should one of them not get approved.

Mayor Williams explained the Museum application includes the Hall Bridge, Eureka Museum, and Troy Museum, those projects have already been decided. Ms. Turner acknowledged that it was true.

Council discussed projects being included in both applications.

Councilor Taylor suggested both groups meet to discuss combining.

Public Comment:

Devenne Leiss explained the Chamber investigated combining but the Shay scored low with stakeholders. Mineral Avenue would take 95% of the \$2.75 million grant.

Ms. Turner stated there was sufficient funding for the \$550,000 the museum needs, amount the city needs, and amount the Chamber needs.

John Beebe commented that improvement grant and tourism grant are separate funding sources, and combining applications might limit potential funding for both projects. Questioning why the collapsed old school property near Mineral Avenue wasn't included in the project boundaries, as it could provide valuable parking for Mineral Avenue improvements and support maximizing grant funding from both separate grant opportunities.

Jackie Zielinski explained Senate Bill 409 funds the Tourism Development grant through statewide lodging tax. The grant's goal is to sustainably increase tourism to under-visited areas like Libby by attracting visitors to stay overnight and spend money on lodgings and restaurants, ultimately increasing tourism revenue for the city.

Mayor Williams noted the Chamber had put out suggestion boxes and gathered a lot of community suggestions and were weeded down to the projects they are proposing.

Councilor Smith **MADE A MOTION** to include the Mineral Avenue Improvement project in the Chamber of Commerce tourism grant application, Councilor Zimmerman **SECONDED**.

Councilor Smith commented, the feasibility study that was commissioned by the Heritage Museum suggests a \$1.2 million return to the community based on visits to the museum. The Museum did a study, more than just interviewing people, and \$1.2 million is a big number.

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

MOTION PASSED.

Approve advertising for 1099 Grant Writer/Community Development Coordinator:

Mayor William explained Mr. Sikes prepared the advertisement for vacancy and the job description has not been decided by council yet.

Councilor Burger **MADE A MOTION** to approve the advertising for 1099 grant writer, Community Development Coordinator, Councilor Berke **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Approve Ethan Kolp as ex officio member of local government study commission:

Mayor Williams explained Mr. Taylor is resigning and recommending Mr. Kolp as replacement.

Councilor Burger expressed reservations about placing another council member on the commission, explaining her research with MSU showing the commission is out of the scope and guidelines, with no way to bring them back in line and expressed concern about potential issues for Mr. Kolp.

Councilor Smith concurred, expressing concern about potential high litigation and felt the commission had gone rogue and was very concerned for Mr. Kolp.

Councilor Kolp stated he feels the city should take every available opportunity to increase dialogue with stakeholders and community residents, and he is fine with taking the position.

Councilor Taylor agreed that city involvement in the commission is important, noting that having an elected official as the ex officio representative is preferable to having Mr. Sikes fill the role.

Public Comment:

John Beebe, co-chair of the Commission, emphasized MSU training indicated the Study Commission is part of the city and everyone should work together in the citizens' best interest. Explaining the commission operates within statutes and an ex officio statutory. Urging Council to overlook acrimony, put citizens first, and support voter-mandated Commission. Confident Kolp will do well.

DC Orr explained the Commission is voter mandated and has found public trust is at an all-time low, the Commission is restoring trust through transparency/accountability. Mr. Orr

thanked Mr. Taylor for serving as ex-officio member and holding the commission accountable while providing good advice and appreciated Mr. Kolp's open mind attending meetings, explaining one council member filed seven legal actions causing obstruction. Urging Council to listen to listen to the voters and approve Mr. Kolp as ex-officio by statutory requirement.

Councilor Zimmerman **MADE A MOTION** to approve Ethan Kolp as ex-officio member of the Local Government Study Commission, Councilor Taylor **SECONDED**.

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

MOTION PASSED.

Streets Committee recommendation regarding placement of Rotary veteran parking signs in Riverfront and Fireman's Park:

Mayor Williams explained the Rotary requested placement of veteran parking signs and since downtown has limited parking the parks were identified as ideal locations.

Councilor Burger provided the Streets Committee recommendation to place the Rotary veteran signs at Riverfront Park and Fireman's Park. Explaining the signs are not enforceable parking spaces but serve as a thank you and recognition to veterans.

Councilor Smith **MADE A MOTION** to accept the Committee's recommended placement for the signs, Councilor Zimmerman **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Streets Committee recommendation regarding placement of VFW requested purple heart parking signs and purple curb paint on 2nd Street:

Mayor Williams provided background explaining this was not a new request, VFW previously placed a purple heart sign in a handicap space causing issues since not all purple heart recipients were handicapped. After conflicts, the space was returned to handicap designation. VFW now requests an additional space for purple heart parking and wants to paint the curb purple, though purple is not an approved street painting color.

Councilor Burger provided the Committee recommendation explaining the VFW wants their first parking spot changed from handicap to purple heart designation. They would like to paint the curb purple. Like the veteran sign, the purple heart spaces would not be enforceable but serve as recognition. There was discussion about moving the sign or placing it on their building and reiterated purple is not an approved curb color.

Councilor Smith suggested painting pole, not curb, it would be visible in snow.

Councilor Zimmerman **MADE A MOTION** for the Streets Committee recommendation regarding placement of the VFW requested purple heart parking sign and either curb or post painting on 2nd Street. **MOTION FAILED** for lack of second.

Councilor Smith **MADE A MOTION** to allow VFW to place their purple heart parking sign and paint the sign pole purple on 2nd Street in the space of their choice, Councilor Berke **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Approve all alcohol license applications received to date:

Black Bistro, Lucky Lil's Casino, Lucky Logger Casino, Pastime Bar and Lounge, Rosauers Supermarket, Switchback Bar and Grill, and Town Pump.

Councilor Smith **MADE A MOTION** to approve all alcohol license applications received to date, Councilor Zimmerman **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Approve all coin-operated amusement license applications:

Pastime Bar and Lounge.

Councilor Smith **MADE A MOTION** to approve all coin operated amusement license applications, Councilor Zimmerman **SECONDED**.

Public Comment: None

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

MOTION PASSED.

Approve all claims received to date:

Mayor Williams reminded the public that if anyone is interested in viewing the claims they are available during the day of the meeting.

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

Public Comment: None

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

MOTION PASSED.

Approve all business license applications received to date:

Mayor Williams noted Great Day Improvements LLC incomplete, being pulled. Remaining: AI Rolloffs and Hauling LLC, I Can Do It, Wake Up Incorporated DBA Copper Mountain Coffee #5.

Councilor Zimmerman **MADE A MOTION** to Approve all business license applications received today, Councilor Smith **SECONDED**.

Public Comment: None

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

MOTION PASSED.

General Comments from Council:

Councilor Burger announced Santa Claus would be at the end of Mineral Avenue on Saturday moving on the fire truck around 1pm, tree lighting, Santa's workshop, and the village at 5pm. Volunteers are still needed to hand out gloves and socks, Mayor Williams would be handing out hats and gloves and Ms. Berke would be running the bakery with her children.

Mayor Williams reminded Council about the subdivision Public Hearings on the 15th and encouraged anyone interested in applying for the Planning Board or Council vacancies to submit applications and introduced a project to reform the Tree Board, which has been defunct after the previous board self-imploded. The Tree Board makes decisions about tree removal and pruning, organizes Arbor Day and pruning workshops, and can apply for city grants. Explaining there was another grant from DNRC available now, they city did have a \$25,000 grant for pruning but was pulled back in September after fires, there were actually three Libby area grants that got pulled back, but a smaller grant is now available that could help with pruning. Mayor Williams emphasized interest in reorganizing the Tree Board.

Councilor Smith stated the Shade Tree Ordinance needed some work, as it was created as a cut-and-paste from elsewhere.

Councilor Smith offered professional guidance to those unfamiliar with the subdivision review processes for the upcoming Timberlands subdivision hearings, encouraging anyone with questions to reach out.

ADJOURNMENT:

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 8:17 pm.

Attest: _____

Mayor Peggy Williams

Clerk/Treasurer Leann Monigold