

APPROVED MINUTES

The City Council held meeting #1550 on Monday, August 17, 2020 at 7:00 pm in the Council Chambers at City Hall.

CALL TO ORDER:

The meeting was called to order at 7:02 PM by Mayor Brent Teske.

Present via zoom was Mr. Gary Beach. Present at City Hall were Mrs. Peggy Williams, Ms. Kristin Smith, Mr. Brian Zimmerman, Mr. Hugh Taylor, Mr. Rob Dufficy, City Administrator Jim Hammons and Deputy Clerk Charlotte Luedecke.

Prayer was offered by Mr. Tom Cole.

Approve Minutes from Public Hearing, held on Monday, July 20, 2020.

Mr. Zimmerman **MADE A MOTION** to approve minutes from Public Hearing held on Monday, July 20, 2020.

Ms. Smith **SECOND**.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

Approve Minutes from meeting # 1548 held on Monday, July 20, 2020.

Mr. Zimmerman **MADE A MOTION** to approve minutes from meeting #1548, held on Monday, July 20, 2020.

Ms. Smith **SECOND**.

Mrs. Williams pointed out a couple of spelling errors.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

Approve Minutes from meeting #1549, held on August 3, 2020.

Ms. Smith **MADE A MOTION** to approve minutes from meeting #1549, held on Monday, August 3, 2020.

Mr. Zimmerman **SECOND**.

Mrs. Williams noted a date correction to be made.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

ANNOUNCEMENTS:

City Administrators Report: Mr. Hammons reported that the contractor has begun sandblasting the tank at the water treatment plant, once that is done and the epoxy coat applied then they will start on the building.

Paving will start back up in September, crews are still working on Main Avenue as well as Lincoln Blouvard. Once curbs (on Lincoln Blvd) are in place it can be filled in with dirt and the watering system can be put in place. Then Jim will get with the tree board and order trees. Once this is all complete the street will get paved.

Fire: Mr. Zimmerman reported that there were 18 calls in July 2 in the City, 14 in Rural Fire District and 2 calls were outside of City or Rural.

Other information of interest: LVFD conducted the annual hydrant flush in July. There are still 106 hydrants that do not have flags on them, would like to get as many more of those as possible.

LCFD also participated with some City crews on training for confined space rescue and visited a few PRV stations, there is concern that if a rescue was necessary at the lift station by Moore Oil, it would be an extremely difficult and dangerous extraction.

Police: None

Ordinances: Meeting 8/20/2020 will discuss business licenses, beer, wine and alcohol and continue with cemetery.

Lights/Streets/Sidewalks: None

Building: None

Water/Sewer: Mr. Zimmerman stated that there was something that needed to be taken care of rather urgently as he read from an email from Mike Fraser. This email was regarding PER's for sewer areas at the plant and mains and the need to proceed with the grant application for the waste water plant controls, due to the age and critical need to maintain treatment for permit compliance and selected sewer main replacements, the sewer lines of greatest need for replacement.

Cemetery/Parks: None

Finance: None

KRDC: Meeting 8/20/2020.

City County Board of Health: Ms. Crismore provided a report as follows: County Health is contracting with Troy Public Schools to bring a person to triage possible COVID symptomatic individuals, educate the community and school faculty and staff on all things COVID including proper PPE, prevention, sanitation, etc.

County Health states that for those groups over 50, plans have to be submitted and none have been denied. The County is very pleased with the details of all the plans.

County Health continues work of updating the operations and maintenance plan at the landfill, including a class 4 cell that may be used for disposal of asbestos and asbestos containing materials. It is the intent to have a draft operations and maintenance plan completed by September.

Asbestos Resource Program:

- (1) ARP continues to collaborate with MT Department of Environmental Quality (DEQ) Superfund Program to manage outgoing Operations and Maintenance (O & M) activities. ARP has four statements of work in development for contaminant removals and performing oversight on ongoing construction project. We are still working without a signed agreement between EPA and DEQ. Without the agreement, reimbursements for eligible labor and materials are prohibited and payment for sampling activities and analysis. This week we are meeting with Weston, Consulting contractors to DEQ to make changes to the developing DEQ Site viewer application. This application helps us view properties for research purposes. ARP also performed two visual inspections at two local gravel/sand pits that plan to expand. This is a working collaboration with DEQ Superfund and DEQ Open Cut Mining Programs. For both pits. ARP did not find mine-related materials during the visual inspections.
- (2) The ARP office has officially moved to the 503 Building located at 503 California Avenue. We are still in the midst of organizing equipment and have renovations to finish all at the same time. We are still open for business and welcome visitors.
- (3) Zply Fiber is working on a 3-year installation of fiber optics in Libby. ARP has collaborated with Zply, Track Utilities and their contractors, and Lincoln County Solid Waste to make sure slurry from soil boring to install fiber optic wires in the ground are deposited at the Class IV Asbestos Cell at the Landfill. This is an important collaboration making sure that potentially contaminated soils, mixed in making the slurry, is deposited in a safe fashion and area.

PUBLIC COMMENT NON-AGENDA ITEMS:

Comments were made by:

Larry Miller, 870 Meadowlark Lane, Libby, MT
Jennifer Nelson, 1026 Washington Ave, Libby
Carrie Waldron, 1021 Mineral Ave, Libby

NEW BUSINESS:

1. Libby Healthcare Providers address Council regarding COVID-19.

Dr. Greg Rice, Dr. Kelli Jarrett and Rachel Toland, RN spoke regarding the importance of mask wearing to help to prevent the spread of COVID-19. They are looking to the City leaders for some leadership regarding mask wearing.

Dr. Rice wants to try to put a positive spin on the mask wearing as well.

Ms. Smith thanked the Healthcare Providers for coming and giving insight on the anxiety they are going through. She said it was good to hear it from them firsthand.

Discussion followed.

2. Approve street closure request sent out in the attached plan for the International Chainsaw Carving Championship.

Troy Douthit – Kootenai County Montana gave an overview of the event and supplied council with event approval from County Health.

MS. Smith **MADE A MOTION** to approve the street closure for the International Chainsaw Carving Championship.
Mr. Dufficy **SECOND**.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

3. Approve open container exception for the Chainsaw Carving Championship from 8:00am - 6:00pm on September 10th-12th and 8:00am -final auction on September 13th.

Ms. Smith **MADE A MOTION** to approve open container exception for the Chainsaw Carving Championship from 8:00am -6:00pm on September 10th-12th and 8:00am -final auction on September 13th.

Mr. Zimmerman **SECOND**.

Discussion followed.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

4. Approve all business licenses received to date.

Smoking Gun BBQ, LLC., 312 Mineral Ave. Food Service
Country Charm Boutique, LLC., 1502 Minnesota Ave., Clothing Store

Ms. Smith **MADE A MOTION** to approve all business licenses received to date.

Mr. Zimmerman **SECOND**.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

5. Approve the Preliminary Budget for Fiscal Year 2021.

Ms. Williams **MADE A MOTION** to approve the Preliminary Budget for Fiscal Year 2021.

Ms. Smith **SECOND**.

Discussion followed.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted **FOR**.

MOTION PASSED.

There will be a Public Hearing on August 31, 2020.

UNFINISHED BUSINESS:

1. City of Libby Wildlife Management Plan – Neil Anderson and Tanya Chilton from FWP will address Council.

Tanya Chilton and Neil Anderson from FWP gave an overview of the plans and budget issues regarding the CWD and Wildlife Management Plan. The goal is to reach a prevalence of 5% or lower for CWD Management. The biggest issue right now is going to be funding. Mr. Anderson touched on the fact that the CWD budget is maxed out at this time with more counties seeing CWD.

Much discussion followed.

Mayor Teske asked about either sex deer tags and how many for this year as well as harvest testing sites and their locations.

Ms. Chilton replied that the tags will be either sex whitetail deer and there will be one tag per hunter. As far as the testing sites (sampling stations) it sounds like there will be at least one in the same location as last year at the State shed by Granite Creek.

Mayor Teske asked if the CWD zone established last year remains the same or if it has expanded or compressed.

Ms. Chilton replied that it remains the same and the either sex tags will only be valid in that management zone.

Mayor Teske asked if there were going to be any public meeting/presentations such as were held last year.

Mr. Anderson replied that he would have to look into the State agency guidelines regarding public meetings as right now there are no large meetings being held. But FWP could make presentations to the City Council for sure.

Mayor Teske replied that there could be a number of smaller meetings in the Ponderosa Room, we could keep them under 50 people, so we don't have to develop a plan for each of them. There are a number of different time slots if FWP want to get the information out. The meetings held last year seemed to be good and productive in quelling myths and stories.

Mr. Anderson replied FWP could accommodate that, hopefully by then FWP will have more of an idea of what CWD plan looks like.

Mr. Dufficy asked about the 8-page draft the Wildlife Management Committee submitted and where that stands at this time.

Mr. Anderson replied that the reason for the delay in returning the draft is that there will be a substantial change in what FWP thought they could do. It was thought that there may be funding for deer management in town and that now looks as if it is not something FWP can do in terms of providing

for the City. FWP would like to sit and meet face to face with Wildlife Management Committee to go over the draft.

Mayor Teske asked where we are as far as the prevalence of 5%.

Ms. Chilton replied the number inside City limits is closer to 13% and in the management zone (excluding City limits) is around 4%.

Ms. Williams asked if there are still symptomatic deer being reported and how are they being handled.

Ms. Chilton replied that there are still calls and that usually the person that takes the call handles the call. A lot of the calls within City limits the police/sheriff are in a better position to handle. If they are dispatched, they let FWP know and FWP usually gets out to sample on the same day. Calls are at about 2 calls a week, last year at this time there calls were at 3-4 a week.

Mayor Teske stated that the public meetings may be a benefit to put this back in the minds of the public as far as being aware and calling those deer.

Public Comment:

Tom Cole, 747 Flower Creek, Libby
Jennifer Nelson, 1026 Washington Ave., Libby

More discussion followed.

2. IP Negotiations.

Still nothing from IP. Mr. Payne sent a letter about 2 weeks ago and still no response yet. Mr. Payne will be here on Wednesday and we will discuss it.

The Board of Health (BOH) had put a stay on the controlled ground water sponsorship. The EPA wants to get going, so they have reached out to the DEQ in place of the BOH. The BOH still wants to sponsor our efforts on this and it sounds like they are going to form their sponsorship and let the EPA and DEQ work on it.

Our next option may be to reach out to the DEQ to put a stay on this. This will be discussed with Mr. Payne when he is here on Wednesday.

GENERAL COMMENTS FROM COUNCIL:

Mayor Teske stated that the laptops for Council are here, it will be up to the individuals to get them set up and in place.

The feedback issue tonight is of concern, we are going to have to see what is going to work better, moving the microphones or doing away with them altogether and using only the screen or tap these into the sound system.

Mr. Beach said he would come in after the meeting and everyone was gone and try to figure out the problem.

Mr. Teske said that would be great, obviously this did not work out well. And since this is going to be the standard for a while we have to get something that works.

ADJOURNMENT:

Mrs. Williams MADE A MOTION to adjourn,

Mr. Dufficy SECOND.

Mrs. Williams, Ms. Smith, Mr. Beach, Mr. Zimmerman, Mr. Taylor, and Mr. Dufficy voted FOR.

MOTION PASSED.

Meeting adjourned at 8:53pm.

Brent Teske, Mayor

Charlotte P. Luedecke, Deputy Clerk