

APPROVED MINUTES

The City Council held meeting #1552 on Tuesday, September 8, 2020 at 7:00pm in the Council Chambers at City Hall.

CALL TO ORDER:

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

Present were Mr. Brian Zimmerman, Mr. Rob Dufficy, City Administrator Jim Hammons and Deputy Clerk Charlotte Luedecke, present via Zoom were Mrs. Peggy Williams, Ms. Kristin Smith and Mr. Gary Beach. Absent were Mr. Hugh Taylor and City Attorney Dean Chisholm.

Prayer was offered Bill Sontag.

Mayor Teske noted a typo on the agenda, it should be Regular Council Meeting # 1552 not # 1551. This will be corrected.

Approve minutes from Council Meeting #1550, held on Monday, August 17, 2020.

Mr. Zimmerman **MADE A MOTION** to approve minutes from Council meeting # 1550, held on Monday, August 17, 2020.

Ms. Smith **SECOND**.

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

MOTION PASSED.

ANNOUNCEMENTS:

Mayor Teske reminded that the Chainsaw Event is this weekend.

COMMITTEE REPORTS:

City Administrators Report: Jim Hammons reported that the crews are removing the topsoil from the triangle by the tennis courts and relocating it to the new islands on the East end of Lincoln Blvd. The plan for the triangle will be to smooth it out and put gravel down with the hope of paving it later for a parking area for the tennis courts.

Paving will resume on Main Ave. and finish up on Lincoln Blvd. areas in a couple of weeks. We are waiting for the county to finish their projects as we use their paver.

Discussion.

Fire: None

Police: Chief Kessel reported that for the month of August there were 290 calls, 14 arrests, 65 citations and 7 DUI's (only 2 from Ignite the Nites.)

One officer and his entire family have tested positive for COVID-19, exposure has been minimal. No one other than the Chief and one other officer had direct contact. The Chief is displaying a few symptoms and has been tested. He will be working from home until the result are back. Worst case scenario, the sheriff's office will coordinate with the Chief if needed.

Ordinances: None

Lights/Streets/Sidewalks: None

Building: None

Water/Sewer: None

Cemetery/Parks: None

Finance: None

KRDC: Tina Oliphant reported that there are funds available of about \$8000 from the Main Street Grant for a project that is not going to go through. This grant is from the Department of Commerce not to be confused with the Main Street project going through the Governor's Office of Economic Development. Libby is one of a dozen and a half Main Street towns throughout Montana. That makes Libby eligible for certain grants through the Main Street Program. If you want to apply, you can do so without reapplying in the formal complete reapplication process. Monies from this grant could be applied to an updated growth policy.

Mayor Teske asked what we would need to do to apply.

Ms. Oliphant replied that the City would need to draft a letter to say how the growth policy will address community needs relative to downtown revitalization and how the rest will be funded and any other details you may have. Ms. Oliphant is willing to draft the letter, she just needs the information to do so.

Mayor Teske asked Mt. Hammons to work with Ms. Oliphant on getting this letter drafted.

Ms. Smith also stated that she would help in any way she could as well.

Other KRDC business was that Ms. Oliphant has been busy helping a lot of non-profits and small businesses in town understand that they are very eligible for COVID monies. Most would be surprised to find out that they are eligible for stabilization grants even though they were not eligible for others. The Business Stabilization Grants are very accessible, they are moving on them pretty quickly.

Mayor Teske asked if someone has a small business then they should contact Ms. Oliphant.

Ms. Oliphant replied that they should contact her, and they can discuss how COVID has impacted them.

Mayor Teske suggested that the word be put out there for businesses that there are funds out there and available.

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) Ziplly Fiber is working on a 3-year installation of fiber optics in Libby. ARP has collaborated with Ziplly, 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.

Board of Health meeting 9-9-2020 at 6:00pm

Parks District Manager of Projects: None

PUBLIC COMMENT NON-AGENDA ITEMS:

Public Comments were made by:

Jennifer Nelson, 1026 Washington Ave., Libby. Commented on citizens petition regarding 406 Ceramics and field trip to the Water Treatment plant for Council members.

Discussion Followed.

NEW BUSINESS:

- 1. Approve Resolution 1970 – Requesting Distribution of Bridge and Road Safety and Accountability of Program Funds.**

Mr. Dufficy **MADE A MOTION** to Resolution 1970 – Requesting Distribution of Bridge and Road Safety and Accountability of Program Funds.

Ms. Smith **SECOND**.

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

MOTION PASSED.

- 2. Approve Resolution 1971 – Authorizing the Mayor to submit this application to the Montana Department of Commerce on behalf of the City of Libby.**

Mr. Zimmerman **MADE A MOTION** to authorize the Mayor to submit this application to the Montana Department of Commerce on behalf of the City of Libby.

Mr. Dufficy **SECOND**.

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

MOTION PASSED.

- 3. Approve all business licenses received to date:**
 - a. Bethany Shetter, 660 Reserve Road, Libby, Healthcare
 - b. Extra Help, Heather Lundin, 46 Leisure Lane, Libby, Healthcare
 - c. Lundin Construction, Phillip Lundin, 217 E. Grant Ave., Troy

Mr. Dufficy **MADE A MOTION** to approve all business licenses received to date.

Ms. Smith **SECOND**.

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

MOTION PASSED.

- 4. Approve Payroll and Claims for August 2020.**

Mr. Zimmerman **MADE A MOTION** to approve Payroll and Claims for August 2020.

Mr. Dufficy **SECOND**.

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

MOTION PASSED.

OLD BUSINESS:

City of Libby Wildlife Management Plan:

Meeting September 16, 2020 Council Chambers at City Hall.

Neil Anderson gave an update that the Fish, Wildlife & Parks (FWP) Department feels the best path forward is to take the lead role in CWD management & removal of urban deer. There are federal funds that they can use if they are in the lead role that may not be available to the City. By maintaining the lead role FWP can secure these funds.

There are some significant changes from what FWP thought it was going to do in terms of the draft. If the City approves it and it is acceptable, it will be similar to last year as far as FWP hiring technicians to oversee operations and collaborate with the City on different operational aspects.

Because CWD management Plan was already passed by the commission FWP does not need action/approval to do this. This should help the timeline as far as what must be put before the commission.

Mayor Teske Asked about public meetings prior to hunting season and if that could still happen.

Mr. Anderson stated that was possible, but would like to have some sort of a draft in place for approval of the City Management Plan first. Will also discuss the plan for management of urban deer.

Mayor Teske Will look seriously at that after the meeting next week.

IP Negotiations:

Last week we received an offer from International Paper. It was emailed to council for your review. It is obviously extremely lacking and short. We are now in the process of countering with some numbers relevant to today's costs. There was also a considerable amount of information in their proposal that was not correct. We are working with Mr. Payne and he will send a counteroffer.

GENERAL COMMENTS FROM COUNCIL:

Mayor Teske stated that there is a variance request for the Board of Adjustments from Mr. Dan Rose and encouraged the Council to familiarize themselves with the Board of Adjustments duties and responsibilities these are in the Ordinance book at 17.36 and the Land Use Management Book page 91 which explains MCA 76.2.321-328.

Sometime ago the City Council voted to make themselves the Board of Adjustments rather than a separate board. The City Council will be the legislative body that is the Board of Adjustments. Mr. Rose is making the request on a setback issue that was mismeasured on his property. We will set up a public hearing for this.

Ms. Smith said it would be helpful to have the hearing on the same day as the Council meeting for ease of scheduling for everyone. And that on his application/presentation to council he would address issues for the council to evaluate if he went line by line it would be helpful for Council.

Mayor Teske replied that he has submitted a timeline of events and when the error was as well as some contributing circumstances. We will get into that at the hearing.

ADJOURNMENT:

Mrs. Williams MADE THE MOTION to adjourn.

Mr. Dufficy SEECOND.

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

MOTION PASSED.

Meeting adjourned at 7:50PM.

Brent Teske, Mayor

Attest: _____
Charlotte Luedecke, Deputy Clerk