

APPROVED MINUTES

The City Council held meeting # 1554 on Monday, October 5, 2020, in the Council Chambers at City Hall.

Call to Order:

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

The Pledge of Allegiance was completed, and Roll Call commenced. Present were Ms. Smith (via Zoom), Mrs. Williams (via Zoom), Mr. Beach (via Zoom), Mr. Dufficy, Mr. Zimmerman, Mr. Taylor, City Clerk/Treasurer Samuel Sikes and City Administrator Mr. Hammons.

Mayor Teske welcomed all in attendance. He then requested and received a prayer given by Ms. Abigail Coblentz.

Announcements:

Mayor Teske announced and introduced the new City Clerk/Treasurer Mr. Samuel E. Sikes.

Committee Reports:

City Administrator's Report: Mr. Hammons reported that most of the paving was complete for the year and that the parks had been winterized with the plumbing being blown out. He stated that we may be able to get to the triangle by the tennis courts as well as placing sprinklers and sod on the new boulevard construction by the end of the season. He said that preparing the trucks for winter would be next of the agenda. Mr. Shaw, 1504 Dakota, questioned if the groundwork near the tennis courts was for parking and Mr. Hammons confirmed that it was.

Fire: Mr. Zimmerman Announced 94 total calls in August of 2020. The calls initiated 11 responses, 3 in the City, 7 in the Rural Fire District and 1 outside of these areas.

Mr. Zimmerman Announced 101 total calls in September of 2020. The calls initiated 7 responses, 2 in the City, 3 in the Rural Fire District and 2 outside of these areas.

Police: Chief Kessel reported there were 299 calls for service In September of 2020 which resulted in 16 arrests and 56 citations during the month. Chief Kessel also reported that due to COVID-19 they could still only put violent offenders in jail which is making things difficult. He also informed the Council that the COVID-19 infected Officer was back to duty and that the department was at full strength.

Resolution/Ordinances: None.

Lights/Streets/Sidewalks: None.

Building: None.

Water/Sewer: Mr. Zimmerman reported that the maintenance and painting of the tanks was almost completed with desires of finishing before winter. Mayor Teske informed the council and public that the plant was built in 1997 and that this was the first maintenance or painting that has occurred.

Cemetery/Parks: None.

Finance: Mayor Teske reported that finance was doing good with nothing further to report.

KRDC: None

City-County Board of Health: Mayor Teske visually scanned a letter from Mrs. Laura Crismore and stated that KRDC was still working on an agreement between the EPA and DEQ.

Park District Manager: None.

Public Comment on Non- Agenda Items:

Mr. Lee Shaw of 1504 Dakota Ave. aired his concern that a Stop sign is necessary at the corner of Dakota and Cedar. He went on to explain how he watches vehicles fly through the intersection and how a deputy that lives near the intersection has been giving citations there. Mayor Teske said he will put it on the board for Streets.

Mr. Shaw went on to ask if anyone had given thought to the application he dropped off in March to be on the Planning Board. After discussion, no one had received his application. Mayor Teske stated we would look for it.

Mr. Shaw continued to question whether the new business on Cedar, currently running out of a small outbuilding, is legal with the resident selling “things” out of it and her house. Comments were made and Mayor Teske stated that she did not have a business license and that the building was not zoned properly, so he asked Chief Kessel to look into it.

Ms. Jennifer Nelson of 1026 Washington Ave. brought up concerns on the fee boxes at the cross-country skiing course being legal from a meeting in February of 2019. She stated that many things needed to be addressed, while some have been rectified, since it is being built above the City’s water source. She is concerned that it is not only a biathlon range, but it was permitted as a regular shooting range. Mr. Zimmerman made the response that it had to be permitted as it was because of arrangements with the Libby Rod and Gun Club instructors. She stated that she did not believe that and stated she had the paperwork. Mrs. Nelson handed out copies of the MCA Title 76, Chapter 9, on Shooting Range Policy and Locations stating that public ranges are public and cannot be considered private.

Ms. Nelson voiced her concern on how there would not be safety and supervision at the range since the gate is going to be moved above the range location and that summer activities are not part of the original agreement. She stated that she was afraid that there was no insurance coverage for Libby because the Rod and Gun club only covers the biathlon.

Mr. Teske commented that the range was intended for the biathlon only under supervision of NRA instructors and not as an open range. Mr. Dufficy questioned if Libby was on the list of Insured where the range is concerned by the Friends of the NRA and Mayor Teske confirmed it was.

Ms. Nelson said that she was also concerned about a lead abatement plan at the range because it is above the watershed. When she contacted the grants department of the FWP they had no idea that there was a range above the municipal watershed. Mrs. Nelson was asked to provide the environmental paperwork to the City Council and Mayor.

Mrs. Janice Bailey, of 1004 Washington Ave., questioned why her business was taken out of the educational status and stopped. Mayor Teske informed her that she was stopped because she was not licensed for retail to buy and sell as the letter from the City Attorney stated. He went on to explain that her house and building are not commercially zoned and that no variance was granted. He asked Mrs. Bailey if she had received the explanatory letter from the City Attorney. She stated she only received an initial letter. Mayor Teske stated he would look up the letter for her.

New Business:

Approve all business licenses received to date.

Mayor Teske read through the 3 applications and Mr. Zimmerman stated that he must abstain from the vote on one of the requests owing to the applicant being a family member. Mayor Teske announced that each license would have to be approved individually.

- (1) Rachel's House Cleaning, Individual, 1414 Montana Ave., House Cleaner.

Mr. Dufficy **MADE A MOTION** to approve the license and Mr. Taylor **SECONDED**.

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

MOTION PASSED.

- (2) That cleaning lady, Individual, 37931 US HWY 2, House Cleaner.

Mr. Dufficy **MADE A MOTION** to approve the license and Mr. Taylor **SECONDED**.

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

MOTION PASSED.

(3) Westgate Animal Clinic, Individual, 904 Utah Ave., Veterinary Care.

Mayor Teske discussed with the Council that this business was moving into town and that no boarding, no kennels, or overnight retention of animals was expected.

Mr. Zimmerman **MADE A MOTION** to approve the license and Mr. Taylor **SECONDED**.

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

MOTION PASSED.

Approve all Claims and Payroll for September 2020.

Mr. Zimmerman **MADE A MOTION** to approve claims and payroll for September of 2020 and Mr. Dufficy **SECONDED**.

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

MOTION PASSED.

Unfinished Business:

City of Libby Wildlife Management Plan.

Mr. Taylor reported there will be a meeting on the 7th of October at 6pm in the Council Chambers to review a draft sent by FWP.

Mayor Teske is waiting to find out about public meetings on CWD prior to hunting season and stated that there could be a couple public meetings in the Ponderosa room with a 50 person limit due to COVID-19. The Mayor will email out details as it is received and warned the committee to expect a call from the Montana Public Radio for information.

IP Negotiations.

Mayor Teske reported there that he has been in contact with people from Senator Daines office and that they have offered any assistance that they can give in working with the DEQ.

General Comments from Council:

Mr. Dufficy and Mayor Teske discussed the carving competition downtown as being highly successful with still having international competitors despite COVID-19 lockdowns. Council discussion was that the City was pleased with the cleanup that occurred this year stating that the chainsaw committee learned from the past.

Ms. Smith brought up the riding path across the river on the old bridge. She stated that the chain-link fence needed fixed as a safety concern. Mayor Teske mentioned that we keep fixing it and vandals keep damaging it. Mr. Hammons stated that he had fixed the fence prior. Ms. Smith said that on this day she saw 5 or 6 people walking on it. Mayor Teske stepped in to say that we really need to fix it better and in a more solid way. Ms. Smith informed the Council that we are responsible for the bridge and that the platforms should, citing the lack of any structural issues, be removed to alleviate the problem. Mayor Teske said we need to talk to BNSF and put it on the agenda, but we need to at least replace some timbers to help fix the fencing.

Adjournment:

Mr. Dufficy **MADE A MOTION** to Adjourn and Mr. Zimmerman **SECONDED**.

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

MOTION PASSED.

Meeting adjourned at 7:40 pm.

Mayor Brent Teske

Attest; _____
Clerk/Treasurer Sikes