

APPROVED MINUTES

The City Council held Council Meeting #1589 on Monday, October 18, 2021, in the Council Chambers at Libby City Hall.

Call to Order:

The meeting was called to order at 7:00pm by Mayor Peggy Williams.

The Pledge of Allegiance was completed, and roll call commenced. Present were Mayor Peggy Williams, Council President Brian Zimmerman, Councilors Gary Beach, Rob Dufficy, Zachariah McNew, Kristin Smith, Hugh Taylor, City Administrator Sam Sikes, and Deputy Clerk Charlotte Luedecke.

Mayor Williams welcomed all present.

Approve Special Council Meeting Minutes #1587 dated October 4, 2021. Councilor Zimmerman **MADE A MOTION** to approve, and Councilor Beach **SECONDED**.

Councilors Beach, Smith, Zimmerman, McNew and Dufficy voted **FOR**, Councilor Taylor **RECUSED** himself as he was not present for the entire meeting.

MOTION PASSED.

Approve City Council Minutes #1588 dated October 4, 2021. Councilor Beach **MADE A MOTION** to approve, and Councilor Smith **SECONDED**.

Councilors Beach, Dufficy, McNew, Smith, Taylor and Zimmerman voted **FOR**.

MOTION PASSED.

Approve minutes for Public Hearing dated October 12, 2021. Councilor Smith **MADE A MOTION** to approve, and Councilor Zimmerman **SECONDED**.

Councilors Beach, Dufficy, McNew, Smith, Taylor and Zimmerman voted **FOR**.

MOTION PASSED.

Announcements: None

Committee Reports:

Fire – Councilor Zimmerman reported that for the second time, Lincoln County Rural/Libby City Fire did not receive the \$120,000 grant for SCBA equipment. The SCBA equipment the City/County Rural Fire has is very aged and at the end of its life span, if not passed it. There are other funding programs out there to look at but, if none can be found, Fire Department will be looking for \$100,000 or more from the City to help with purchasing new SCBA breathing apparatus for firefighters entering into burning buildings.

Police – Chief Kessel reported there were 216 service calls, 17 arrests, 25 citations and 3 City Ordinance violations for September 2021. Sargent Pape is at a forensic interview training school in Helena, this course will allow him to interview child victims of sexual offenses. The jail is still taking only violent offenders for the most part. The new radios are up and running with no problems. Lastly, there was a deer put down by the elementary school a couple of weeks ago that tested positive for CWD.

Zoning Commission - Nothing to report. Planning board will meet October 25, 2021, at 7:00pm at City Hall.

Public Comment on Non-Agenda Items:

D.C. Orr, 1117 Nevada Ave., voiced his opinions towards previous City Councils and a perceived injustice to one of the members and expressed concerns regarding closed meetings referring to MCA 2-3-203 (The Montana Sunshine Law).

Tony Petrusha, 559 Florence Road, gave an update on the road improvements on Flower Creek Road (FS128). The first phase is done which included widening and smoothing the road, adding culverts, and relocating the gate. Phase 2 is paving which originally quoted at \$118,000 but is now down to \$80,000. Flower Creek Project has \$50,000 and are looking into a grant for \$15,000. Tony asked the city to consider giving a \$20,000 investment for their part of the City's easement to the dam for future recreation.

Old Business:

American Legion Auxiliary #97, Statue in Cemetery repair.

Mayor Williams reported that the American Legion Auxiliary #97 has raised enough funds for the repair and replacement of the statue. The statue will be removed around Veterans Day and the wreath laying ceremony will be November 11, 2021, at 11:00am.

No further discussion is needed on this topic at this time.

City Council Reassignments.

Councilor Zimmerman stated that the reassignments have been completed, Councilor McNew will chair the budget/finance committee as well as sitting on the cemetery/parks and ordinance committees.

New Business:

Approve Resolution 1994 – Declaring certain property as surplus and authorizing its disposal.

Mayor Williams read Resolution 1994 and added that this is the second time Mr. Petrusha has come to Council with this request and he deserves the courtesy of an answer, addressing Resolution 1994 will provide an answer.

Councilor Smith **MADE A MOTION** to adopt resolution 1994. Councilor Zimmerman **SECONDED**.

Councilor Taylor stated that he was under the understanding this would be put up for public auction and does not agree with it being a donation. This is City property; therefore, it belongs to the taxpayers and the City should benefit from the sale or disposal of this item.

Councilor Dufficy stated that he agrees with Councilor Taylor and that this building has value and should be auctioned off and taxpayers given back some of their money. Councilor Dufficy brought up that the city does not give away cop cars, they are auctioned off.

Councilor McNew asked if the building was donated would Turner Mountain pay the removal costs.

Tony Petrusa said Turner Mountain would pay the \$1,000 to \$1,500 cost to remove the property.

Councilor McNew said Turner Mountain does a great job for Libby, they bring in revenue to local businesses and he appreciates the work they do and would be in support of something like this.

Councilor Dufficy added that he appreciates what Turner Mountain does but if they really need the building then the city should open it up for bid and allow them to bid on it.

D.C. Orr – Asked how many generators the city has and proposed keeping this as a spare if needed rather than spending money for a new one in the future.

With no further discussion, Mayor Williams asked for a verbal vote and show of hands.

Councilors Beach, Smith, Zimmerman and McNew voted **FOR**.

Councilors Taylor and Dufficy **OPPOSED**.

MOTION PASSED by a 4-2 vote. Turner Mountain will receive the generator and building.

Tony Petrusa thanked Council for their support and voiced appreciation for the NAY votes as well as the YES votes. Tony asked to be informed when Turner Mountain can get the property out and the process will be started immediately.

Approve all Business Licensed received to date:

Mayor Williams read requests from Pinnacle Home MT, and Shawn Michalkiewicz Construction.

Councilor Smith **MADE A MOTION** to approve all business licenses received to date and Councilor **SECOND**.

Councilors Beach, Dufficy, McNew, Smith, Taylor and Zimmerman voted **FOR**.

MOTION PASSED.

Unfinished Business:

IP Negotiations – Mayor Williams reported no updates at this time.

Noble Excavation request for easement by Sewage Treatment Plant - Councilor Zimmerman noted that it should be Noble Investments not Noble Excavation on the agenda. Councilor Zimmerman continued explaining that a meeting was held to discuss a letter supporting the easement. This letter is being drafted by Noble's people and will be brought to council for approval. There will be more committee meetings to discuss what can be done down the road for possible reimbursement, bridge work, extending water/sewer lines or whatever the city decides.

Mayor Williams stated that this letter would go to legal prior to any decisions by City Council.

General Comments from Council:

Mayor Williams announced that the final meeting for the CDBG grant will be held October 25, 2021, at 6:15pm at City Hall, following this meeting will be a meet and greet with Joel Nelson of Land Solutions on the Growth Policy Project. The Planning Board will meet at 7:00pm on the same evening.

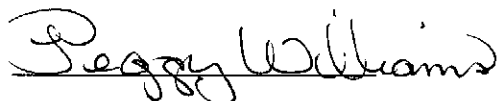
Adjournment:

Councilor Dufficy **MADE A MOTION** to adjourn, and Councilor Taylor **SECONDED**.

Councilors Beach, Dufficy, McNew, Smith, Taylor and Zimmerman voted FOR

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:30pm.



Mayor, Peggy Williams



Deputy Clerk, Charlotte Luedecke