

APPROVED MINUTES

The City Council held Council Meeting # 1594 on Monday, December 6, 2021, in the Council Chambers at City Hall.

Call to Order:

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

The pledge of Allegiance was completed, and Roll Call commenced. Present were Mayor Peggy Williams, Councilors Gary Beach, Kristin Smith, Brian Zimmerman, Zachariah McNew, Rob Dufficy, Hugh Taylor, City Administrator Sam Sikes and Clerk/Treasurer Leann Monigold.

Mayor Williams welcomed all present and introduced Leann Monigold as the new Clerk/Treasurer.

Approve City Council Minutes #1593 dated Monday, November 15, 2021. Councilor Beach **MADE A MOTION** to approve, and Councilor McNew **SECONDED**.

Councilors Beach, Dufficy, McNew, Smith, and Zimmerman voted **FOR**. Councilor Taylor sustained due to being absent for the previous meeting.

MOTION PASSED.

Announcements: None

Committee Reports:

City Administrator: Administrator Sikes reported that the Streets Department picked up a load of winter mix for winter road safety. Jonathan Graham was hired to fill the open position in the Water Treatment Plant and will start on December 13th. Graham will be transferring from the Libby Police Department. The Sewer Treatment Plant has had mechanical problems with the control panel. Problems are being resolved to the best of our ability due to parts no longer being available. Sikes stated he met with the USFS over improvements to the bank of Flower Creek between the upper and lower reservoir. Those improvements will be completed in the next couple of years.

Fire: Councilor Zimmerman reported that the Volunteer Fire Department responded to 13 calls for the month of November 2021. There were 5 calls in the City, 5 calls in the Rural Fire District, and 3 call were outside the City or RFD. There were 3 call for chimneys, 3 call for Libby Ambulance, 2 false alarms, 1 call for smoking exhaust fan, and 1 call for carbon monoxide alarm. There have been 123 calls as to date for 2021. The new SCBA equipment is scheduled to arrive on December 1st. The changeover for the new equipment will take approximately 3 weeks in order to complete fit testing, equipment training and familiarization.

Police: Libby Police Chief Kessel reported for the month of November that 177 calls were received for services, 16 arrests were made, and 12 citations were issued. There will be a vacancy with Officer Graham's departure, so advertising is in progress. One of the 2014 Explorers is out of service with transmission issues. Officer Smith represented the LPD for this year's Christmas activities.

Ordinances: Councilor Smith reported that a meeting is scheduled for December 7th to discuss recreational marijuana.

Lights/Streets/Sidewalks: Councilor Beach reported that there will be an upcoming meeting the subjects of discussion will be sidewalk projects, possibly seeking funds for mobile radar trailer for the LPD, and a parking request for the 100 block of E 6th St.

Zoning: Councilor Smith reported that a planning meeting is scheduled for 6pm 13 December 2021 with an update on the growth policy. A Zoning meeting at 7pm 13 December 2021.

Public Comment on Non-Agenda Items:

Gail Burger, 302 California, inquired where the refurbished Christmas wreaths for Mineral Ave. will be stored in the future since the current space they were stored is no longer available. Mayor Williams stated that future storage would be discussed with Sikes.

Dave Kemmerer, 124 Pioneer, was curious as to why the train whistle needs to blow throughout the night. Mayor Williams explained that the whistles are blown for safety reasons at all train crossings and that the city has no jurisdiction.

Nicole Rogerson, 505 Mineral Ave., inquired about having a parking space marked for Rogerson's new business. Chief Kessel stated it was not possible due to obstructing the line site.

Old Business:

Approve final plat for Girod subdivision – Nick Raines presented the Council with documentation that all eight conditions for approval of the final plat for the two-lot subdivision behind Big Sky Lumber have been met. Raines recommended that the final plat be approved by the Council.

Councilor Smith **MADE A MOTION** to approve, and Councilor Zimmerman **SECONDED**.

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

MOTION PASSED.

Approve Noble Industries, LLC request for easement – Chris Noble requested an easement to develop the land by the City's Sewer Treatment Plant. Noble would like to begin developing the property by installing water and sewer lines along with road access for future development. Mayor

Councilor Smith **MADE A MOTION** to get it on the floor for discussion, and Councilor Taylor **SECONDED**.

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

MOTION PASSED.

Council Discussion: Mayor Williams asked Noble for clarification on the size of the easement.

Public Comment:

Dave Kemmerer, 124 Pioneer, had concerns about flooding (for the area Noble would like to develop.)

Jen Remp, 252 Kootenai Views Dr., asked how the new road would be maintained and taken care of. Noble replied that it would be a city street and could be put to city standards once built. Remp also asked, with traffic, what the easement requirement would be. Zimmerman explained the proper requirements for a standard city street. Remp then inquired whether their property would be zoned as city and not county. Noble responded that it would eventually be zoned for the city, but not in the near future, because this is to allow for future growth.

Council Discussion (reopened): Councilor Smith stated that the agreement Noble submitted should be considered a draft and rewritten by Attorney Chisholm for the city's interest. It should also have an attached exhibit that specifically shows the width of the easement. Councilor Smith feels the easement should be dedicated as a public easement. Councilor Smith suggested that part of the agreement should read that no construction should be completed until all aspects of easements have been acquired.

Councilor Zimmerman wanted to make clear that without the easements that no water lines, sewer lines, or roads would be added to this area.

Attorney Dean Chisholm was brought into the discussion via zoom to let the council know a redraft needed to be done.

Mayor Williams a decision until the new agreement can be drafted and future approval will be discussed on 20 December 2021 council meeting.

All council members agreed.

New Business:

Approval of the contract renewal and change in the monthly price with Fraser Management and Consulting, PPLC. The monthly price has gone up from \$190 to \$200.

Councilor Smith **MADE A MOTION** to approve, Councilor Beach **SECONDED**.

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

Approve all business licensed received to date:

Councilor Smith **MADE A MOTION** to approve businesses for Extra Help, Kootenai Treasures, LLC, T-Mobile West, LLC, and Welding Solutions, LLC and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Approve Claims and Payroll for November 2021.

Councilor Zimmerman **MADE A MOTION** to approve, Councilor Smith **SECONDED**.

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

MOTION PASSED.

Unfinished Business:

IP negotiations: The council members discussed receiving an update in order to keep this as unfinished business.

General Comments from the Council:

Mayor Williams announced that her email address had changed and warned the public of a scam asking them to buy gift cards from her old email address.

Dan Clark Training on 22 February 2021, council agreed at 4pm. Upcoming Councilor Berke was also informed.

Councilor Taylor inquired if there was any new information about the S&D mobile car wash being in violation of residential zoning laws. Mayor Williams responded by recommending a cease and desist order be presented to them. Attorney Chisholm is currently investigating the situation. Council discussed S&D's zoning violations and resolved to postpone further debate until Attorney Chisholm's investigation is completed.

Adjournment:

Councilor Dufficy **MADE A Motion** to adjourn and Councilor Smith **SECONDED**.

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

Mayor Williams adjourned the meeting at 7:54 PM.

Mayor Peggy Williams

Clerk/Treasurer Leann Monigold

