

APPROVED MINUTES

The City Council held Council Meeting # 1598 on Monday, February 7, 2022, 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, Prayer was led by Bill Sonntag, and Roll Call commenced. Present were Mayor Peggy Williams, Councilors Gary Beach, Melissa Berke, Zachariah McNew, Kristin Smith, City Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and Attorney Dean Chisholm was present via Zoom. Councilors Brian Zimmerman and Hugh Taylor were not in attendance.

Mayor Williams welcomed all present.

Approve City Council Minutes #1597 dated Tuesday January 18, 2022.

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

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

MOTION PASSED.

Announcements:

Mayor Williams introduced Justin Williams the City's new Streets Supervisor. Mr. Williams thanked everyone present and offered a brief introduction about himself.

Committee Reports:

Police: Chief Kessel announced, via Zoom, one officer was out due to Covid. Chief Kessel read the report for the month of January 2022. There were 237 calls for service. 21 of the calls were for City Ordinance violations due to snow removal. 72 traffic stops approximately 25% were issued a citation the rest were given a warning to try to correct behavior. 8 automobile crashes, responded to 22 disturbances, 14 property crimes, 10 sensitive investigations underway. Chief Kessel announced the officer job that became available with Jonathan Graham's transfer to another city position has been removed, and Officer Graham will continue to work part-time to assist.

Ordinances: Councilor Smith reported that as a result of the work done over multiple committee meetings, the introduction of Adult-Use Marijuana in city limits would be an item being addressed later on the agenda and there are currently no committee meeting scheduled at this time.

Lights/Streets/Sidewalks: Councilor Beach reported no new updates with the committee, but a meeting is being scheduled for February 17th or 18th around lunch time, and the items to be discussed will be upcoming sidewalk projects and parking issue and requests in the downtown area.

Zoning Commission: Councilor Smith reported a meeting was slated for the end of January, but due to the Planning Board meeting on the Growth Policy Update, bled into time allotted for the Zoning Commission meeting. Councilor Smith indicated the Planning Board had a productive meeting on the Growth Policy Update.

City-County Board of Health: Mayor Williams announced Amy Fantozzi was out of town but had sent an email. Mayor Williams read the email, reporting the BOA had approved their mission statement to say: "The City-County Board of Health for Lincoln County works to prevent disease and illness, ensures a healthy environment, and promotes healthy choices by setting county-wide policies to protect the health of Lincoln County residents." The email also stated Public Health reported a recent increase in COVID cases and the Omicron variant has been confirmed in Lincoln County. New officers were elected: Board Chair – Josh Letcher, Board Vice Chair – Amy Fantozzi, Secretary – Patty Kincheloe, and Jan Ivers' term was renewed and the next meeting will be February 8th at 6pm at the Courthouse.

Parks District Manager of Projects: Tony Petrusa, 559 Florence Rd., presented the 2021 Annual Report. \$5,918 had been invoiced and paid. In the future, there will be quarterly reports instead of monthly. The Libby Pool Project is currently on hold and the committee would like to meet with community business leaders to get their input on an aquatic facility in Libby. Mr. Petrusa also stated with the Greater Libby Area Trails Plan, the Libby Outdoor Recreation Association (LORA) has an action team meeting to work on specific tasks and has developed a board of directors. They are a nonprofit entity registered in the State of Montana and have received an EIN # from the IRS to become a tax exempt nonprofit entity. Mr. Petrusa stated (LORA) participated in the City of Libby source water delineation plan, withdrew request from DNRC for section 16 bike course on Flower Creek/Parmenter Hill, and may be taking a different approach and looking into getting bicycle paths adjacent to the golf course. A road bed and drainage upgrade to FS128 (also known as Flower Creek Rd.) up to Flower Creek Dam was completed, and \$20,000 was obtained from RAC for paving FS128. Vault Toilet approval for Nordic ski course. (LORA) participated in the 1st annual Forest Fair. A parking area was established for Flower Creek trail head. Improvements were made to the historical Norgard trail and Snowshoe trail. (LORA) has started working with USFS to obtain easements for non-motorized trails from Nordic ski course to Snowshoe trail and continues to refine the Flower Creek Recreation Development Plan. Mr. Petrusa wanted to thank the City on behalf of Kootenai Winter Sports and Turner Mountain ski area for the building and the equipment that was donated.

Councilor Smith responded that the City did adopt the source water delineation plan and the document stated the plan could be executed at any time. Councilor Smith thanked Mr. Petrusa for actualizing the recreational opportunities for the community.

Councilor Beach inquired about who was elected for the board of directors and which entity they are associated with. Mr. Petrusa responded, The President is Bill Pepper from the Mountain Bike group, Vice-President is Cathy Spenser from the Chamber of Commerce, Secretary Treasurer is Tina Oliphant with KRDC.

Mayor Williams inquired about Mr. Petrusa's request for planning grants and wondered how it proceeded. Mr. Petrusa replied that it grants were rejected, but they would keep trying.

Public Comment on Non-Agenda Items: None

Old Business: None

New Business:

Introduction of Kootenai Pets For Life building addition request:

Faith Lee presented the KPFL request. Ms. Lee stated she is currently the President for KPFL located at 125 County Shop Rd., a non-profit animal shelter and KPFL started in Troy in 2001 and moved to Libby in 2008 to the current location. Ms. Lee explained since KPFL was established they have facilitated spaying and neutering for over 8000 animals, 3700 animals that have lived within the facility to be adopted and KPFL is a 100% volunteer organization. Ms. Lee gave statistics on adoptions, clinic operations, and volunteered hours for year 2021. Ms. Lee requested approval for, dog intake and quarantine, building addition and extending the roof over existing dog kennels.

Jeff Sharp, Director of KPFL, described the layout of the property and explained where the building addition would be, how the dogs would be housed, and the addition would include room for 4 more kennels, larger fencing area, and a covered breeze way.

Councilor Smith asked Mr. Sharp if KPFL would be launching fund raising campaigns to cover costs of the expansion. Mr. Sharp stated that fundraisers are being planned, and letters for donations are now being mailed out, as well as a Facebook live fundraiser on February 21st from 10 a.m. to 2 p.m. According to Mr. Sharp, the project will cost between \$90,000-\$100,000.

Councilor Beach inquired how many dogs could currently be housed. Ms. Lee stated at present there are kennels for 10 dogs, but more area would allow them to accommodate more dogs and help out-of-town shelters, reducing overcrowding.

Councilor Smith asked what action was needed from City Council. Mayor Williams responded that the current lease needs approval from City Council for an expansion and would be on the next agenda.

Councilor Beach suggested speaking with the newspaper staff, who were present, after the Council meeting to perhaps do a write-up to aid with fundraising.

Introduction to Adult-Use Marijuana Tax and Code Changes:

Councilor Smith announced that after several meetings of the Ordinance Committee, several recommended changes are being presented to City Council for consideration to City Ordinance. Councilor Smith referred to the Summary memo from the Ordinance Committee that stated the history of Initiative 190 from elections in 2020 and the citizens of Libby voted 63% in favor of legalizing it and obligated the City to allow adult-use marijuana within city limits and put up additional sidebars. The Ordinance Committee found the State statute sufficient for moving forward. Councilor Smith stated the Committee recommends requesting the County Commissioners to put taxation on the ballot, which would benefit the City in revenues along with recommended code changes.

Councilor Beach inquired about setting limits on how many dispensaries and distance between within city limits. Councilor Smith responded the Committee has not set a limit that finding retail space available and market conditions would dictate how many would be within city limits.

Public Comments: Kathleen Sheffield with Lincoln County Substance Abuse, expressed concerns about allowing dispensaries downtown. Ms. Sheffield agreed with the taxation to help different programs in the area. Ms. Sheffield expressed how important it would be to keep on top of the laws and rules to help keep everyone educated and to help kids know of the consequences of use as a minor.

Councilor Smith wanted to ingrate permits would be a Conditional Use Permit and would require a public hearing.

Approval of claims to date:

Councilor Beach **MADE A MOTION** to approve all claims to date and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Approve all business licenses received to date:

Mayor Williams read the businesses to be approved:

Eagle Outfitters of Montana, Happy Homes Cleaning Services and Supplies, Next Home Premier Realty, and Mobile Massage Therapy by Alicia.

Councilor Smith **MADE A MOTION** to approve business licenses to date and Councilor McNew **SECONDED**.

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

MOTION PASSED.

Unfinished Business:

IP negotiations: Mayor Williams stated with the suggestion of Mr. Payne and the approval of the sub-committee sent a letter requesting a meeting with EPA.

Public Comments: None

General Comments from the Council: Mayor Williams announced Dan Clark would be in Libby for Training on Tuesday the 22nd at 4pm prior the Council meeting and a meeting at the Commissioners on the 16th regarding the CDBG request being put forth by the Libby Creek community. Mayor Williams announced the Food Pantry must relocate and is seeking another location. Council discussed where the best place would be to help them relocate. Councilor Beach agreed to have the Building Committee look into it.

Adjournment:

Councilor McNew **MADE A MOTION** to adjourn and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:45 PM.

Mayor Peggy Williams

Clerk/Treasurer Leann Monigold

