

## APPROVED MINUTES

The City Council held Council Meeting # 1600 on Monday, March 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 Lois Kotzen, and Roll Call commenced. Present were Mayor Peggy Williams, Councilors Gary Beach, Melissa Berke, Zachariah McNew, Kristin Smith, Hugh Taylor, Brian Zimmerman, City Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and (via Zoom) Attorney Dean Chisholm.

Mayor Williams welcomed all present.

Announcements: None

### Committee Reports:

**Administrator:** Administrator Sikes reported the city is currently under a health advisory for the drinking water due to rain and warmer weather causing a dramatic increase in runoff, which has elevated turbidity and floating debris in the water, overwhelming the water treatment system. Mr. Sikes stated when the NTU (Nephelometric Turbidity Unit) level breaks 1.0, an advisory is issued because it may affect citizens with sensitivities. At 5.0, a boil order will be issued by state rules. The city hit a 4.73 but is starting to calm down now. Mr. Sikes announced that in 2023 the city will be working with the Forest Service to fortify the banks between the dam and lower reservoir, which will alleviate much of those problems, and in the next three to five years the city will be looking to receive a grant to vacuum dredge the lower reservoir and install a knee wall to help leaves and debris from getting to the screens.

**Fire:** Councilor Zimmerman reported for January, Libby Volunteer Fire Department responded to 10 calls. One call in the city, eight rural, and one call outside of district. For February, LVFD responded to 8 calls. Three calls in the city, three rural, and two outside of district for a total of 18 calls to date for 2022.

**Police:** Chief Kessel reported for February 265 calls for service, which included 11 animal control calls, 65 traffic stops, 34 incidents involving violence, and 18 property crimes. Chief Kessel announced the police department hosted training for Sanders County, Thompson Falls, Troy, and Libby law enforcement on fair and unbiased policing and law enforcement ethics, which is required every two years. Chief Kessel said there will be upcoming interviews for a police officer position opening.

**Building:** Councilor Beach announced a committee meeting will take place March 8<sup>th</sup> at 6:15 pm.

**Zoning Commission and Planning Board:** Councilor Smith reported meetings were held the previous Monday and an update was received from Land Solutions on the Growth Policy revision. The Zoning Commission began looking at proposed zoning changes to allow marijuana businesses in commercial districts, and the Planning Board recommended that the City Council appoint Christine Anderson.

**Public Comment on Non-Agenda Items:** None

**Old Business:**

**Approve letter requesting County Commissioners hold election for 3% adult-use recreational marijuana sales tax:**

Mayor Williams explained how the legislature reworked initiative I-190 and any funding that might have gone to local municipalities was removed, but the legislature did make available a 3% sales tax that could be voted on in the county and is why the letter of approval is needed.

Councilor McNew **MADE A MOTION** to approve letter requesting County Commissioners hold election for 3% adult-use recreational marijuana sales and Councilor Smith **SECONDED**.

**Council or Public Comments:**

Councilor Smith stated the city realizes this is a new business industry for the state, and this is an important opportunity to raise revenues to help address any issues that may arise as result of the new industry.

Councilor Berke inquired if a sales tax was voted in would the tax help to cover costs of what might happen as repercussions within the city.

Mayor Williams explained the city would not likely get enough money from the 3% to actually offset repercussions, but would receive some revenue. Mayor Williams stated having talked to several agencies that may be able to get grants or other financial assistance, but do not expect a lot of impact money to come for support, such as a recent conversation with Kathleen Sheffield about aide with mental health and similar programs.

Alexa Kuehn, 184 Bowkers St, stated having a business outside city limits and property inside city limit with potential to build. Ms. Kuehn inquired as to where the 3% tax would do directly. Mayor Williams explained to Ms. Kuehn the tax would be collected by the State, distributed to the County keeping half then distribute a portion to the City that would go into the general fund.

Ms. Kuehn inquired about installing bars on the business windows and had concerns, as a cash-based business, about potential crime increases if marijuana shops were close to each other and asked if other businesses could pay into the sales tax, such as bars, breweries, and liquor stores. Mayor Williams explained the tax is exclusive to the adult-use recreational marijuana industry. There is currently a tax on liquor, gaming machines, and lottery items that the State collects and then distributes. The City receives a portion that is deposited into the general fund.

Ms. Kuehn asked if the City residents would be paying the cost to have a special mail-in ballot distributed. Mayor Williams replied it would be a countywide ballot, so the City would only pay a portion towards the mailing and the date and cost would be decided at a future date.

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

**MOTION PASSED.**

## **New Business:**

### **Approve Christine Anderson's application for appointment to the Planning/Zoning Committee:**

Mayor Williams explained the committee application process, receiving only one application; Christine Anderson was present to answer any questions about the application that she submitted.

Councilor Beach inquired if Ms. Anderson had ever volunteered for planning board positions anywhere else. Ms. Anderson responded this would be the first time volunteering for that position.

Councilor Taylor asked what type of associate's degree and Ms. Anderson replied her associate's degree was in law enforcement.

Councilor Smith thanked Ms. Anderson for applying and acknowledged reading the many volunteer activities listed, different skill sets, and be willing to have discussions, provide input, and make recommendations.

Councilor Zimmerman thanked Ms. Anderson for applying and volunteering and noticed all the work she had done in the communities on her resume.

Councilor Berke thanked Ms. Anderson for volunteering.

Councilor Beach asked if there was any one thing Ms. Anderson would like to see done at the current planning board like project or similar items. Ms. Anderson replied one of the things she had notice this winter after the large snowfall the sidewalks seem to be a safety issue and asked if that is an issue the planning board would cover or building new sidewalks. Councilor Smith replied that is not an issue the building committee would cover but could certainly send recommendations that the City take action.

Ms. Anderson stated being born and raised in the community and having creativity as one of her strong points, she would like to think outside the box to help the future of the community.

Councilor Smith **MADE A MOTION** to approve Christine Anderson's application for appointment to the Planning/Zoning Committee and Councilor McNew **SECONDED**.

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

**MOTION PASSED.**

### **Approve removal of handicap and 2-hour parking on the north side of 6<sup>th</sup> street between Mineral and Montana Avenues for general parking:**

Mayor Williams read the agenda item and Councilor Beach stated the request came from businesses along that block and explained the location of the request for removal.

Councilor Smith **MADE A MOTION** to approve removal of handicap and 2-hour parking on the north side of 6<sup>th</sup> street between Mineral and Montana Avenues for general parking and Councilor Beach **SECONDED**.

Council discussed handicap and 2-hour parking along Mineral Avenue and the side streets. Council discussed the removal of the parking on the agenda and the police station and fire department support the request.

Councilors Beach, Berke, McNew, Smith, and Zimmerman voted **FOR**. Councilor Taylor voted **AGAINST**.

**MOTION PASSED.**

**Approval of claims to date:**

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

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

**MOTION PASSED.**

**Approve all business licenses received to date:**

Mayor Williams read the businesses to be approved:

Tim the Toolman and Johnie's Auto Parts (new owners).

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

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

**MOTION PASSED.**

### **Unfinished Business:**

**IP negotiations:** Mayor Williams stated the EPA has responded to the City's letter requesting a meeting and are deciding on a date.

**Public Comments: None**

**General Comments from the Council:** Councilor McNew inquired about looking into the parks and playground equipment and the opportunities to upgrade them. Councilor Smith stated this was a good opportunity to explain to new council members how items get into committee and the process. Mayor Williams explained the process as to how an item reaches a committee and stated Councilor McNew is requesting the Parks Committee look into the parks and playground equipment. Council agreed.

Councilor Zimmerman announced he had updated the committee list and asked that any Council members who wanting to be added or moved to a committee to let him know.

Councilor Beach announced being approached about the wild turkey problems in town and wanted to know if there was a way the State could step in and help out. Council Zimmerman and Councilor Taylor stated the State was not going to help but it doesn't mean the City has to stop asking.

Council Zimmerman stated getting together with Administrator Sikes to check the painting of parking spaces due to size of the intersection before parking signs were removed between Mineral and Montana Avenues.

**Adjournment:**

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

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

**MOTION PASSED.**

Mayor Williams adjourned the meeting at 7:36 PM.

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Mayor Peggy Williams

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Clerk/Treasurer Leann Monigold