

APPROVED MINUTES

The City Council held Council Meeting #1616 on Monday, November 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 by Jeff O'Connell, roll call commenced. Present were Mayor Williams, Councilors Melissa Berke, Zach McNew, Kristin Smith, Hugh Taylor, Brian Zimmerman, Clerk-Treasurer Leann Monigold, Streets Supervisor Justin Williams, (via Zoom) Councilor Gary Beach, and City Attorney Dean Chisholm.

Mayor Williams welcomed all present.

Approve All Minutes: Public Hearing Minutes dated September 6, 2022, Council Minutes #1612 dated September 6, 2022, and Council Minutes #1613 dated September 19, 2022:

Councilor Zimmerman **MADE A MOTION** to approve Public Hearing Minutes dated September 6, 2022, Council Minutes #1612 dated September 6, 2022, and Council Minutes #1613 dated September 19, 2022, and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Announcements: Mayor Williams reminded everyone to vote November 8th, for those that did not already turn in their ballot, voting is at the Memorial Center.

Committee Reports:

Administrator: Streets Supervisor Justin Williams reported city equipment yard and parks are being prepared for winter. Bathroom facilities at Fireman's Park, city campground, and Riverfront Park are closed for the season. Our long time campground host has retired, the City will be looking at applications for a new host come spring time, leaf pickup will be November 9th, 10th, 16th, and 17th all leaves must be boxed or bagged and on the curb for pickup. Concrete and paving has been finished at the Fire Department, street crews will be monitoring and cleaning screens at the lower reservoir more frequently with the seasons changing. Water customers need to protect the water meter if exposed to the cold, tree removal has been completed for the dead trees at Fireman's Park, cemetery, campground, Lincoln Blvd., and Riverfront Park. A new furnace will be installed at the City Streets Shop to replace the unrepairable unit. Street patching on Cedar Street has been finished, underground fuel storage tank has been removed and awaiting soil samples, and the above ground tank is being prepared to be installed.

Zoning/Planning: Councilor Smith announced Zoning Commission will hold a meeting Monday, November 28th and the Planning Board held a Public Hearing on the Growth Policy October 24th and has recommended moving the Growth Policy to Council for adoption with a few changes that have been made.

Public Comment on Non-Agenda Items: Ted Montgomery, 491 Cabinet Heights, inquired about street lights being installed in the Cabinet Heights area and said his surrounding neighbors stated they would like them also. Mayor Williams explained the residents in the Cabinet Heights area had previously said street lights were unwanted to keep their rural appearance but if that idea has changed, he should contact Administrator Sikes so he can begin looking into it.

Old Business: None

New Business:

Tony Petrusha, South Flower Creek Recreational Development Plan (Discussion):

Tony Petrusha showed a PowerPoint presentation to describe the South Flower Creek/Old Snowshoe Recreational Development Plan and stated the plan would be presented at a public meeting on Wednesday, November 16th, 6 p.m. at First Montana Bank to receive community ideas of other outdoor recreational activities. The plan was being presented to City Council for review and to create a resolution for adoption. Mr. Petrusha explained the background of the Libby Outdoor Recreation Association (LORA) and who they work with. The presentation showed a detailed look at the trail systems broken down into five sections spanning 35 miles from Cabinet Heights Road to South Flower Creek then connecting to a trail system leading to the Leigh Lake Road parking area, with a detailed description of each area and the recreational activities along the way. Maintenance will be performed by groups of volunteers and funding will come from grant, donations, and in-kind services.

Councilor Smith inquired if the plan addresses ways to promote the trails like signs and adding to online map services. Mr. Petrusha explained those are addressed in the plan along with, way-finding, signage, publications, notification, and other ways to get the word out.

Approve Resolution 2009, Amendment to Rules and Regulations of the City of Libby Water System Rule Sixteen – No. 5:

Councilor Zimmerman **MADE A MOTION** to approve Resolution 2009, Amendment to Rules and Regulations of the City of Libby Water System Rule Sixteen – No. 5, and Councilor Berke **SECONDED**.

Comments: Ted Montgomery, 491 Cabinet Heights, inquired if a landlord has the right to know if their tenant has not paid their bill. Attorney Chisholm said the landlord has a right to receive dual notice and to contact the front office to accommodate such notice.

DC Orr, 1117 Nevada Ave, asked to withdraw the \$10.00 late fee charge.

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

MOTION PASSED.

Approve all claims received to date:

Councilor Smith **MADE A MOTION** to approve all claims received to date, and Councilor McNew **SECONDED**.

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

MOTION PASSED.

Approve all business licenses applications received to date:

Century 21 Summit Realty and Salon Avail.

Councilor McNew **MADE A MOTION** to approve all business licenses applications received to date, and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Unfinished Business: IP Settlement, Mayor Williams announced a meeting was held with EPA and Council Subcommittee on October 26th. Councilor Smith stated the meeting went well and they seemed surprised to learn of our position, and with changes in their staffing and changes on the City Council it was a good time to reconnect and get positive momentum going. Councilor Taylor explained the City's concerns were taken well by the EPA and DEQ, who were also present, and working on relations to become allies to help the City's controlled groundwater situation be remedied.

DC Orr, 1117 Nevada Ave, enquired what the City's positions and concerns where that were presented to the EPA. Councilor Smith informed Mr. Orr the discussions were to hold IP's feet to the fire with issues that need to be addressed that the City feels the EPA has let go. The Subcommittee let them know concerns on positions the EPA should have been supporting the City on but weren't. Following some of the concerns raised, the EPA and DEQ members present took a brief break to confer with one another. The plan is to meet with them again after they have had time to process the discussions. Councilor Taylor stated a few of the biggest concerns is wanting them to assist with the irrigation water in the summer because it should not be a burden on city water users and to have them clean up the mess which was part of the original agreement.

General Comments from the Council: Council discussed the Meeting Owl, new audio/video technology being tried out for the meeting and a tutorial was requested if the City purchases one.

Adjournment:

Councilor Zimmerman **MADE A MOTION** to **Adjourn** and Councilor Berke **SECONDED**.

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:47 PM.

Mayor Peggy Williams

Clerk-Treasurer Leann Monigold