

UNAPPROVED MINUTES

The City Council held Council Meeting #1640 on Monday, November 6, 2023, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:01 pm by Council President Zimmerman.

The Pledge of Allegiance was completed, prayer by Joseph Miller, roll call commenced. Present were Councilors Gary Beach, Melissa Berke, Zach McNew, Kristin Smith, Hugh Taylor, Brian Zimmerman, Clerk-Treasurer Leann Monigold, and (via Zoom) City Attorney Dean Chisholm. Mayor Williams was not in attendance.

Councilor Zimmerman welcomed all those present.

Announcements:

Councilor Zimmerman announced elections tomorrow and the polling place will be at the Memorial Center open 7am-8pm. Leaf pickup will be November 8th and 9th will be the final pickup.

Committee Reports:

Administrator: Mr. Sikes reported for the Sewer Department, the plant is operating great with major improvement and mild hiccups here and there that are being dealt with. The aerators have been changed out for the first time in about 15 years which has driven the oxygen levels so high that the amount of oxygen being pumped in had to be reduced. A connection came loose on the polymer pump sending polymer into the system that coagulated our organics and had to be removed with a lot of extra pressing and decanting.

For Water Department, county wide, there has been a sustained draught for the past few years and our reservoir levels were getting alarmingly low. The recent rain and snow have brought up the level enough to be sustain current usage and increasing for the winter. We are still going to develop a water conservation SOP for the future, in case the draught continues, currently we are doing well with our water resources.

The Emergency Acton Plan for the Flower Creek Dam has been submitted to all primary parties for any changes and should be completed within the week. The water main replacement in Cabinet Heights should be completed by the next meeting and hoping to lift the moratorium on new water services barring any unforeseen issues. A temp employee was hired from the local college and has been doing an incredible job tracking all Lead Service Line inventory letters. Reminding everyone to turn in those letters to save the city the cost of an additional mailout.

The City had a meeting with a company that is currently working on a solution to digitize and archive all of the older city documents. We are looking for less expensive alternatives allowing for easy access to historical information.

The City attended a Zoom meeting on HB 355 which allotted \$20 million municipal infrastructure that includes water, sewer, roads, streets, bridges, and public grounds and buildings. Libby has been allocated \$231,304 with a required 25% match of \$56,826 to get the funding and will be working with department heads to get a priority list to the Mayor for discussion.

A reminder to the public that there are rules to having ADU's. By code, an ADU must be framed, on a permanent foundation, and are subject to all city permitting before beginning. Meaning you cannot just put one of those sheds you can buy in your yard, put some insulation and water/sewer in it, and call it an ADU. Please remember that "accessory" buildings cannot be placed in the front or side yard, nor can they take up more than 25% of the rear yard and must be at least 3 feet from any property line for safety, health, and fire issues.

Councilor Smith inquired for clarification if the Emergency Action Plan was for the lower dam. Mr. Sike said it is for the Flower Creek dam, indicating it is needed with the new dam.

Police: Chief Ercanbrack reported an increase in calls from 186 last year to 194 this year including traffic stops. The Trunk – or – Treat had a great turnout and Halloween was a quiet night. Officer Thomas is in the academy, excelling in academics and doing well, Officer Luthey is currently in field training with the Sheriff's Office and doing phenomenal. Addressing social media, a lot of concern online about people being attacked and jumped by masked people with baseball bats, this is not a thing and have had zero calls addressed to this, nor has the Sheriff's Office. Stopping by the hospital and ER, they have not had anyone with blunt force trauma that would back this, this is a rumor and not true.

Councilor Smith stated she appreciated the Chief's presence at the school in the morning and thanked Chief Ercanbrack for putting to bed the rumor on social media.

Ordinance: Councilor Smith reported the Committee met on October 18th and recommend to Council one little change to title 10 in our traffic code and will be coming to the next Council for an ordinance reading.

Streets: Justin Williams reported the Crew has been busy with core work patching potholes, jetting mains, and sweeping. Leaf pickup will be Wednesday and Thursday November 8th and 9th reminding there is an ordinance for blowing or placing leaves/ tree branches, debris, or snow in or onto the city streets or alleyways. Three water main repairs recently, alley behind Post Office, 2nd Street between Monana and Louisiana Ave., and Louisiana between 3rd and 4th Street. Panels were replaced on the sidewalk at the Lincoln County Courthouse. Crew has been assisting WWTP with arrow motor and aerator repairs and ongoing repairs to the lift station on 1st street. The City will be switching over to salt brine this year for the winter streets to save cost and hopefully benefit performance. The Crew has started development on a new cemetery block, in beginning phase of moving bulk of material to make room and establish a good layout that will allow room for growth and

future development. The pump by the river at the Pavilion is being worked on to get back online for alternate water source for LVFD needs. More vandalism to city property, the Flower Creek walking path bridge, boards were broken out using rocks creating a fall hazard, repairs were made, thank you to the citizen that reported it. Currently, getting equipment finished up and ready for snowfall.

Lights/Streets/Sidewalks: Councilor Beach reported the Committee met last Friday at noon and discussed creating school zone signage around the Christian school. Chief Ercanbrack, Justin Williams, and himself met onsite to review how many signs would be needed and what the plan would be. Moving forward, we will finalize a map and review it making sure it meets standards for site and distance and plan to have it ready for Council at the next meeting.

Water/Sewer: Councilor Zimmerman announced the Committee met last week to review commercial water rates and hookups fees, are waiting on some figures from the front office to be tallied up so another meeting can be scheduled to review those and move forward.

Zoning: Councilor Smith announced the next Zoning Commission meeting would be November 27th to continue plugging away on the Residential districts.

Finance: Clerk/Treasurer Monigold reported an onsite meeting was scheduled with the auditor's office to finalize fiscal year 2023 closeout, there were a few questions and corrections that were needed for the closeout. After corrections were made, he said everything looked good for the year end and now they will begin preparing everything needed for our Annual Financial Report that is due December 31st.

The surplus auction for the vehicles and machinery went very well, the city received \$9640.55 from the items sold, about \$2200 more than we had budgeted for.

Wildlife: Councilor Taylor reported the draft plan has been submitted to FWD for review of the Turkey Management Plan and will be holding another meeting in the next few weeks to review their version of the draft.

Public Comment on Non-Agenda Items:

Chelsea Kraft, 57 Woodland Rd., requested Council consider adding push buttons with LED flashing lights for the crosswalks on Hwy 2 through the downtown area. Ms. Kraft described incidents she had witnessed and why there is a safety need. She had prepared a map and ideas to present to Council.

Councilor Zimmerman asked her to leave them with Mr. Sikes and thanked her for bringing it to light and recommended, because it is highway it will have to be the MDT that makes the decision, to call Kalispell and Missoula offices to make a report, the City will also, and anyone else that would make phone calls to them as well, because the more volume they get it becomes more of an issue and they will possibly come up and do their study.

Old Business: None.

New Business:

Christ Lutheran Church's Community Forum on housing concerns:

Mrs. Rice wanted to share information about a community forum on November 14th at the Memorial Center for housing concerns in Libby. Many people are touched or know someone that is homeless, volunteering at the Food Panty they are now serving 200-225 households and is about 400-450 individuals, of those 30 are homeless households. Mrs. Rice mentioned students couch surfing and many households pay over 50% of their income on rent. Her church does Christ's Kitchen once a month, it started 20 years ago, before Covid they were feeding 40 – 45 people each month and now up to 120 people each month. She gave a personal experience and explained there would be a panel of 5 people at the forum and described the positions each person holds and what type of information they would be providing, encouraging everyone to attend.

Approve Resolution #2024 updating cemetery fees:

Councilor Zimmerman read Resolution #2024.

Councilor Taylor inquired what current rates were. Councilor Zimmerman read current rates.

Councilor Smith **MADE A MOTION** to approve Resolution #2024 updating cemetery fees, Councilor Beach **SECONDED**.

Councilor Smith emphasized the importance to recognize the cost to the City to do this work and is appropriate to raise the fees.

Councilor Zimmerman stated Justin Williams and Mr. Sikes worked with the Budget Committee on this to make sure all of the costs were being looked at and what it was costing since there have been no updates for the last 15 – 20 years and using the cost recovery model to make sure all the costs are being covered.

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

MOTION PASSED.

Approve Resolution #2025 authorizing sale of certain property in possession of local law enforcement:

Councilor Zimmerman read Resolution #2025.

Councilor Smith inquired how the \$20 amount was determined. Mr. Sike replied it was found in the MCA.

Councilor Taylor **MADE A MOTION** to approve Resolution #2025, Councilor McNew **SECONDED**.

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

MOTION PASSED.

Approve Equal Employment Opportunity Policy:

Councilor Zimmerman explained a policy has already been in effect the last 10 years, CDBG is requiring an updated signed copy, so this is to update the current policy.

Councilor McNew **MADE A MOTION** to approve Equal Employment Opportunity Policy, Councilor Smith **SECONDED**.

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

MOTION PASSED

Discussion on names for Mineral Avenue Pocket Park:

Bruce Weatherby, 1006 W. 9th, suggested Rotary Peace Park and wanted to emphasize the importance of service Rotary provides and would be a good way to recognize them.

Council Smith suggested Peace Park or Peace Officer Park.

Councilor Berke agreed with Councilor Smith's names and liked the idea of having a plaques for Chief Bochman and Rotary.

McNew Abstained from a decision because of his involvement in Rotary.

Councilor Zimmerman read all the names that had been suggested.

Councilor Smith Beach **MADE A MOTION** to name the Pocket Park Peace Officer Park, Councilor Berke **SECONDED**.

Councilor Beach pointed out it says discussion on the agenda.

Councilor Zimmerman asked Council if they would like to act on it tonight it would be fine with him or wait to vote and approve on the next agenda.

Councilor Smith **WITHDREW HER MOTION** and suggested to assist the discussion to list the top two names.

Councilor Zimmerman suggested also each name could have a motion and Council could vote. Willing to go the direction Council would like to go.

Councilor Beach recommended putting it on the agenda for the next meeting for approval.

Council agreed to wait until the next meeting.

Review 1st quarter budget:

Clerk/Treasurer Monigold highlighted several items on the revenues for the 1st quarter budget review. 1.) tax revenue was on the low side because the first half has not been received yet. 2.) The reimbursement for the CDBG growth policy was to be received last fiscal year and was received this year and not budgeted so it shows that line item off. Explaining the revenue is right on track for what was budgeted then highlighted several items on the expenditures. 1.) Noted several items are already at 100% and those are from payments we make annually such as City Court payment and Liability and Property insurance. 2.) Lighting Maintenance was a little high and that was due to the LED lights purchased for the Ball Park. 3.) Several line items were a little high in several departments but those were due to one-time purchase, mostly maintenance. Explaining everything is right on track for this time of year.

Councilor Zimmerman inquired about debt services under DNRC loans being at 50 – 52% and asked if they were on track. Ms. Monigold explained those are payments that are made twice a year so yes that is correct.

Councilor Beach inquired about the police budget, with the turmoil that has happened in the department and expenditures coming up with gear and similar items, asking if we are tracking with that also. Ms. Monigold explained at this time their budget is on track, but with the new officers coming on there will be higher expenses with safety gear and we should begin to see more how it reflects their budget going into next quarter.

John Bebee, 704 E 9th St., commented on the need to increasing the police budget.

Approve all claims received to date:

Councilor Beach **MADE A MOTION** to approve all claims received to date, Councilor Berke **SECONDED**.

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

MOTION PASSED

Approve all business licenses received to date:

Independent Consulting LLC dba Startuploans and Kristel Montoya LLC.

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

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

MOTION PASSED

General Comments from the Council:

Councilor Zimmerman reminded everyone to vote.

Adjournment:

Councilor Smith **MADE A MOTION** to Adjourn and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Councilor Zimmerman adjourned the meeting at 7:58 PM.

Mayor Peggy Williams

Attest: _____
Clerk/Treasurer Leann Monigold