

APPROVED MINUTES

The City Council held Council Meeting #1644 on Tuesday, January 2, 2024, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:03 pm by Mayor Peggy Williams.

The Pledge of Allegiance was completed, roll call commenced. Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Ian Smith, Hugh Taylor, Kristin Smith, Brian Zimmerman, Administrator Sam Sikes, Deputy Clerk Charlotte Luedecke, and (via Zoom) City Attorney Dean Chisholm.

Mayor Williams welcomed all those in attendance.

Approve City Council minutes for meeting #1643 dated December 18, 2023:

Councilor Zimmerman **MADE A MOTION** to approve City Council minutes for meeting #1643 dated December 18, 2023, Councilor Beach **SECONDED**.

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

MOTION PASSED.

Announcements:

Mayor Williams announced that the next council meeting will be Tuesday, January 16, 2024, due to Monday, January 15, 2024, being a holiday.

Councilor I. Smith stated he would be attending the January 16, 2024, meeting via Zoom as he will be at training in Helena.

Committee Reports:

Administrator: Administrator Sikes reported that he is working with Rural Water on water rates and increases that have been going on Statewide. Right now, we could be considered out of compliance as our rates are not reasonable and just for everyone. This deals with multiple dwellings, hotels, and restaurants. To be fair and just, these entities should be charged by square foot amounts of how many toilets, sinks and capacity. The Department of Rural Water will be here on 23 January 2024 to go over everything that we charge, all water/sewer loans, all base rates, everything that we charge for sizes 7 diameters of water meters, and usage rates. A presentation will then be given to the committee and forwarded to the Council.

A lot of the rate analysis has to be for equivalent dwelling units, so all of the units, motels and restaurants need to be redone. One good thing, in talking to Rural Water they are getting away from loans. They have figured out that cities cannot keep taking on debt, paying out interest and principal loans and continue increasing rates.

When they look at rates now, they are saying you must be able to fund Capital Improvement Plans and stay away from loans. Mr. Sikes will be going through all of this with Rural Water and be able to brief Council.

Councilor K. Smith stated that she is glad this was identified, and a solution is being worked on.

Sikes responded that it is roughly \$300,000 per year that we have been short.

Street Supervisor: Justin Williams reported the street crew has been doing the normal core activities of jetting and patching potholes. Also, doing some cemetery work, plotting out and mapping the last bit of developed usable sites, working on brushing along the fence line between Fireman's Park and the cemetery and cleaned up the area to discourage some activities, but also enhance the line of sight to ease concerns.

Crews are inspecting and cleaning out all valve can risers on water main valves so we can retain access for shutoff and isolation if warranted. Inspecting sewer mains with the camera trying to identify problem areas such as sag, cracks, breaks, separation, sediment buildup and root mass, which is then cleaned up as best as we can.

The leak detection survey is almost complete to the point of areas identified and gives a detailed scope of where, GPM and level of severity. That information will be used to prioritize the degree of mediation, assessing the risk, and putting together a plan for performing the work.

They have also been working the lime hopper at the wastewater treatment plant, cleaned out the grit chamber and got the chain back on the auger and it is now working properly.

They have had a very successful 2023. Zero reportable and zero recordable injuries to personnel, with zero equipment and property damage. Justin feels there has been an uptick with performance in day-to-day activities through planning, scheduling with others and prioritization. The crew is doing very well with communication within the group which allows the turnover with the scope of work to remain fluid in maintaining continuity resulting in a great finished job. Justin states that he is very proud to say the guys do an amazing job and bring a lot of knowledge and experience to the city, couldn't ask for a better group of guys to lead.

There were some greatly needed projects accomplished, Education Way and Cabinet Heights Water Main extension were the big ones. Sidewalk replacement, water main repairs, tree trimming and removal eliminating hazards.

Equipment downtime was minimal in 2023, overall care, maintenance and ownership has improved along with support needed to keep up and operating.

Looking into 2024, Justin is excited for all the great things coming their way, it will only make the community better, and he is looking forward to it.

Councilor Zimmerman stated that he has gotten kudos from the community for the street crew repairing the star and getting it up for the season, and for all the work the crew has been doing the last year to rebuild. Marvelous job and thanked them.

Justin thanked the council for their support.

Councilor K. Smith asked about plans for repainting the center line on Mineral Ave.

J. Williams stated there has been conversation about that, right now the focus is on crosswalks, then touch up areas not completed last year.

They will get it to where it looks nice again.

Fire: Councilor Zimmerman reported that there were 8 calls in December 2023, 2 calls in the city, 2 calls in the Rural Fire District and 4 calls were outside if City of RFD. There were 104 calls in 2023. Steve Lauer should have the general report for the next meeting.

Police: Chief Ercanbrack reported that 2023 was a great year for the Libby police Department, it has been an uphill battle. The year started a bit rough Chief Ercanbrack came in around May 2023 and since then the department is up to 5 of its 6 officers. This has been a phenomenal improvement. The Chief said he has enjoyed being home despite this being the hardest job he has ever had in his career but wouldn't have it any other way. There are two brand new officers that are eager and ready to learn, they go out each and every day to help those in need and are thriving in this career field. The other is a seasoned officer we were fortunate to find, and he has been mentoring the new officers as well as impacting the community. Chief says he has heard nothing but great things from all three officers and that they are a blessing to the community. The department suffered, which caused our community to suffer, from these mistakes and trials the department has learned to promote themselves to always improve and develop. Complacency will always be the biggest threat to the community and will not ever be tolerated in the Libby Police Department. Despite being short staffed in 2023 LPD answered 1439 calls for service down from 2073 calls in 2022. There were 69 disturbances, 17 assaults, 9 domestic violence, 54 threatened calls and 75 crashes investigated. The crash calls were down from 107 in 2022, a 25% decrease, great to see. Part of the decrease is in part the change in the traffic signals slowing traffic down. Officers investigated 21 ETOH/drug calls and 99 theft cases in 2023.

One of the major calls for service LPD responded to that require patience, training and clarity of thought were mental health calls, LPD responded to 32 calls for someone in crisis. These calls are a little low as they are considered disturbance calls or are misclassified. Law enforcement around the nation have had to adapt as these calls become more frequent. This is due to law enforcement doing a better job at identifying when someone is in crisis and the devastating effects of new drugs hitting the streets. Libby is no different in our trials to help those in need, the numbers were slightly down from 39 calls last year. Unfortunately, Libby does not have a good support system for mental health, there are no resources to help other than to take them to the hospital and the hospital can only do so much. We are trying to come up with ways that we can help.

With fewer officers traffic stops were down to 224 in 2023 from 489 in 2022. As officers complete training some of the numbers are distorted due to the way they are categorized in the system and the ever-evolving situation when officers get to a call, and they are more complicated than initially reported. Also, like seeing domestic violence calls decrease, not much can be done except officer presence. This is a great deterrent but for the most part nothing officers can do apart from show up and stop it as fast as possible. The lower number of calls shows people are making better choices in the community and separating themselves from volatile situations or just taking a deep breath admitting they were wrong.

Overall, the Chief believes they are on the right path to being a highly effective and professional department that the community can be proud of and is grateful for all the support.

Mayor Williams reported that none of the committees met over Christmas so there are no other committee reports except wildlife.

Wildlife: Councilor Taylor reported an email was received from FWP saying that there were 75 deer trapped last year over a 2-month period 7 of those were on City property and 1 was suspected CWD but not confirmed. They will resume trapping in January. All the non-diseased deer were given to the Libby food bank.

Public Comment on Non-Agenda Items:

Dc Orr made comments regarding the police department and police commission. As well as FOYA requests being “stonewalled” by the judge.

Old Business: None.

New Business:

1. Approve sponsorship of LOR grant – Montana Department of Labor and Industry (DLI)– Pilot Industry Awareness Campaign.

Janelle with DLI gave her presentation for the Industry Awareness Campaign and described what the banners will look like and gave a handout on the approximate costs. If the City sponsors this grant there would be no cost to the city, they would just be a

sponsor. Janelle cannot sign the worksheet for LOR because she cannot represent DLI for the signature and would have to go through the state representative and that would take longer than they would like.

Mayor Williams opened the floor for discussion.

Councilor Beach asked if costs associated with the city would be a pass through or would the city be responsible for any overages?

Janelle replied that the only obligation the City would be to sponsor the grant, the required social media for LOR and to execute grant responsibilities that have gone through the City. There would be no fiscal responsibility to the city and the work would be done by DLI.

Mayor Williams noted that these banners are not advertisements for business but for industry.

Janelle described the size and the content that will be on them. And gave the theme of the program as Live, Learn, Earn Thrive in Libby.

The banner project is a three-phase rollout, 1st phase will be promotion, 2nd phase work force expo 4/30/2024 at the Memorial Center and the 3rd phase will bring industry to the table and talk about work force challenges and desired training.

Councilor K. Smith stated that she thinks this is a fantastic initiative, a lot of people don't realize all the small manufacturing for instance that goes on in this community and it's pretty impressive. There are job opportunities through the Job Service.

Janelle replied that there are training opportunities we just need to bring them together.

Councilor Zimmerman **MADE A MOTION** to approve sponsorship of the LOR grant for MT DLI Pilot For industry Awareness Campaign, Councilor Berke **SECOND**.

Councilor K. Smith abstained from the vote.

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

MOTION PASSED.

2. Approve all Beer, Wine or Liquor License applications received to date.

Libby Quick Stop,

Councilor K. Smith **MADE A MOTION** to approve all Beer, Wine or Liquor Licenses received to date, Councilor Beach **SECOND**.

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

MOTION PASSED.

3. Approve all Coin Operated Licenses received to date:
Pastime Bar & Lounge.

Councilor Zimmerman **MADE A MOTION** to approve all Coin Operated Licenses received to date, Berke **SECOND**.

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

MOTION PASSED.

4. Approve all business licenses received to date:

Dollar General Store #25010, Silver and Stardust, LLC, and So Help Me Haley.

Councilor Zimmerman **MADE A MOTION** to approve all business licenses received to date, Councilor Berke **SECOND**.

Councilor I. Smith stated that he thought the Dollar General Store was in the County.

Mayor Williams explained that parcel was annexed a few years ago when the planned assisted living facility requested to be annexed into the city.

Discussion followed.

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

MORION PASSED.

5. Approve all claims received to date:

Councilor Zimmerman **MADE A MOTION** to approve all claims received to date, Councilor Berke **SECOND**.

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

MOTION PASSED.

6. Elect council president (per policies and procedures)

Mayor Williams read the procedure for regarding election of council president then opened the floor for nominations.

Councilor I. Smith **NOMINATED** Councilor Hugh Taylor, Councilor Berke **SECOND**.

Councilor K. Smith **NOMINATED** Councilor Brian Zimmerman, Councilor Beach **SECOND**.

Mayor Williams read how to vote.

Taylor, Berke and I. Smith voted **FOR** Hugh Taylor.

Zimmerman, Beach, K. Smith voted **FOR** Brian Zimmerman.

In the event of a tie vote the mayor is the tie breaking vote and Mayor Williams voted **FOR** Brian Zimmerman.

Mayor Williams then announced that Brian Zimmerman would be Council President for 2 more years.

There was no unfinished business.

General comments from the Council:

Mayor Williams announced that there will be a public hearing regarding SLIPA funds for the Spruce Street upgrade, publication is going out so it can be done within the 16 January 2024 meeting.

Councilor K. Smith mentioned that Dan Clark would be here on 11 January 2024.

Mayor Williams confirmed that Clark will be meeting with the Police Commission @ 4:00 pm and with the council at 6:00 pm.

Discussion followed.

Councilor Taylor asked where we are on filling the vacancy on the Police Commission.

Mayor Williams stated that it is currently being advertised.

Councilor Taylor commented, referring to a letter sent out by the Police Commission that stated they did not review the applicants, and asked why they did not review three of the applicants if it is required in MCA.

Mayor Williams explained there are some questions, exactly how the review process is conducted and hoping Dan Clark can clarify that process.

Councilor Taylor inquired if City Attorney Chisholm has given his opinion and requested a written opinion.

Attorney Chisholm (via Zoom) explained this has come to our attention and he has spoken with the mayor. It is under review and looking forward to having Mr. Clark discuss some of the finer points of the process.

Mayor Williams stated everyone is welcome to attend the Police Commission training but cannot participate, only listen.

Councilor Beach commented that the city should be looking for some of the grants that are available out there and are we doing anything to find them.

Mayor Williams explained that she and Mr. Sikes have discussed this and are working on a plan to get assistance to train someone to do just that.

Discussion followed.

Adjournment:

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:39 PM.

Mayor Peggy Williams

Attest: _____

Deputy Clerk Charlotte Luedecke