

APPROVED MINUTES

The City Council held meeting #1651 on Monday, April 15th, 2024, 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 offered by Tom Cole, and Roll Call commenced. Present were Mayor Williams, Council President Brian Zimmerman, Councilors Gary Beach, Melissa Berke, Kristin Smith, Ian Smith, Hugh Taylor, City Administrator Samuel Sikes, and Clerk/Treasurer Leann Monigold

Mayor Williams welcomed all present and asked if the Council had the opportunity to review the minutes from the previous meetings that were on the agenda. Mayor Williams excluded minutes #1650 from the Public Hearing on 8 April 2024 that were not completed.

Councilor Zimmerman **MADE A MOTION** to approve City Council Meeting Minutes #1648 from March 4th, 2024, #1649 from March 18th, 2024. Councilor Beach **SECONDED**.

Council President Brian Zimmerman, Councilors Gary Beach, Melissa Berke, Kristin Smith, Ian Smith, and Hugh Taylor all voted **FOR**.

MOTION PASSED

Announcements:

Mayor Williams made a proclamation proclaiming the week of April 21st to April 27th as National Crime Victims' Rights Week. The Mayor also announced that there would be a dedication on April 28th at 1:00 pm of a plaque to honor deceased Police Chief Bockman at the Police Department. April 26th is Arbor Day, and a proclamation will be read in the Peace Officer Park and trees will be planted along Lincoln Boulevard. At 6:00 pm on April 17th there will be a Public Hearing on the Growth Policy future Land Use Map, and there will be a Public Hearing at 6:30 on April 17th for updates on the Subdivision Regulations.

Committee Reports:

Building: Councilor Taylor reported meeting last week with Pure North on the lease in City Hall.

Zoning Commission: Councilor Kristin Smith reported having a Public Hearing on Wednesday followed by a commission meeting. Mayor Williams added that the City Council would be having the future land use map and subdivision updates on the agenda for the city council on May 6th.

Cemetery Parks: Councilor Berke reported the next meeting for the parks committee would be Thursday at Noon.

Wildlife: Councilor Taylor reported the city receiving 25 Turkey Permits and that 69 Deer were harvested in the city for the CWD program.

Public Comment on Non- Agenda Items:

Mr. Orr communicated displeasure with a quote on a city hall board and stated that the city water and sewer departments are not businesses.

Public Hearing:

Mayor Williams opened the Public Hearing at 7:19 pm to receive public comment regarding the updated cost estimates to the 2020 Wastewater Preliminary Engineering Report and associated grant and loan funding options.

City Engineer Mike Fraser briefed what the P.E.R. was and the need for Grants before explaining that the City had received 1.1 million dollars in infrastructure Grants in 2020 alone. The bid was just awarded for the Sewer Instrument and Controllers portion of the PLCs Grant and soon the bid would be taken for the sewer main replacement portion of the PLCs Grant. Mr. Fraser went on to explain that the 1st and Montana Lift Station has been a safety and maintenance problem for years and needed total replacement. The replacement would create ground level pumps and a generator that could handle modern day solids even if the power was out. The updated cost is estimated at 1.1 million dollars with \$125,000 coming from RRGL, \$464,000 from MCEP, and \$550,000 from CDBG.

Streets Supervisor Justin Williams gave a brief on the troubled condition of the lift station and the time it takes to constantly maintain it.

Councilor Beach asked how many people were served by the lift station and Administrator Sikes reported roughly 800.

Mayor Williams opened up the meeting to the public for comment.

DC Orr stated that this project was 15 years overdue and requested to see the bid tabulation.

John Bebee stated that the plan for fixing the aging infrastructure should be more comprehensive and that the city needs to ask for more money from the State to fund everything.

Having no more public comments the Mayor adjourned the Public Hearing at 7:33 pm and resumed the regular Council meeting.

New Business:

Approve authorization of Renewable Resource Grant Loan (RRGL) Application.

Mayor Williams requested authorization to sign the contract with RRGL once it was completed. City Engineer Fraser stated that the authorization and application was due on May 15th and explained that the public comments would be part of the application.

Councilor Beach **MADE A MOTION** to authorize the Mayor to sign the RRGL application and Councilor Zimmerman **SECONDED**.

Council President Brian Zimmerman, Councilors Gary Beach, Melissa Berke, Kristin Smith, Ian Smith, and Hugh Taylor all voted **FOR**.

MOTION PASSED

Approve Resolution #2028 to increase utility rates and charges for the users of the municipal utility system.

Mayor Williams opened with reading the legal portion of the Resolution and corresponding MCAs.

Council Kristin Smith **MADE A MOTION** to place the Resolution into old business and to schedule a working meeting so the Council could openly discuss all the options for any increases and why increases are necessary. Councilor Berke **SECONDED** the motion.

Councilor Beach requested that the council pick a day, and Councilor Kristin Smith offered April 29th. Councilor Taylor thought the idea of a working meeting was great.

Mayor Williams opened the topic for public comment.

Jennifer Nelson acknowledged that increasing rates was a difficult thing and felt that it should be equitable, everyone should pay their fair share. Jennifer thought that the pervious sewer increase should be honored for another year until it expires.

Troy Douthit, Hotel Manager, thanked the council for the delay, adding that he could not donate to charity this year because of the anticipated increases while requesting transparency.

Zach McNew requested that the public be given more than 3 minutes to speak at the working meeting.

DC Orr thought it was wonderful to have a working session adding that the FAQ sheet be addressed, and that the council not ignore funding from the IP fund and Plant Investment Fees.

John Bebee, holding a "VOTE NO" sign, commented that the council should get more community participation and public outcry for more grant funding.

Maria Stevens commented that she may help write the grants, adding that Kalispell just got 11 million dollars in grants for the Build Back Better program.

Having no further public comment, the Mayor brought the discussion back to the Council.

Council President Brian Zimmerman, Councilors Gary Beach, Melissa Berke, Kristin Smith, Ian Smith, and Hugh Taylor all voted **FOR** and the time was set for 6:00 pm on April 29th.

MOTION PASSED.

Approve letter of support for FEMA floodplain update.

Mayor Williams read the letter of support to Mr. Doug Brugger, Montana DNRC State Floodplain Engineer.

Jesse Haag, Lincoln Floodplain Administrator, explained how the floodplain update will affect insurance, adding that this is a multi-year process that will cost over \$6,000,000 without the city paying a dime. This study will ensure continued public safety that will allow property owners to research their property online once completed.

Mayor Williams asked Mr. Haag the timeframe. Mr. Haag said it would be a 5 to 7 year project that would start in August or September of this year explaining that he was not aware of the miles of the study, but added that the first year would be acquiring data and the final maps should be ready in the 5 to 7 years. The Mayor opened the floor for public comment.

DC Orr asked who Jesse Haag was then added that Lisa Odewalt worked the floodplain issue after 2006.

Marie Stevens commented that she worked at the title company and that Lincoln County needed an electronic model ASAP.

Council Kristin Smith **MADE A MOTION** to approve the support letter and Councilor Zimmerman **SECONDED**.

Mayor Williams reopened the issue for public comment, and with no further comment, returned the discussion to the council for a vote.

Council President Brian Zimmerman, Councilors Gary Beach, Melissa Berke, Kristin Smith, Ian Smith, and Hugh Taylor all voted **FOR**.

MOTION PASSED.

Review Ordinance Committee recommendation of Title 14, Chapter 28 update.

Mayor Williams opened the discussion and set the first reading for the Ordinance for May 6th and asked Councilor Kristin Smith to cover the changes that the planning board recommended. Councilor Smith requested City Attorney Chisholm to comment under what title the highly modified ordinance should be placed. Councilor Smith went on to give a summary of all the changes, the RV requirements, how the State now defines RVs, and why several aspects to RVs and storage should be tied together. Councilor Berke stated that page #1 explained it all.

Attorney Chisholm stated that placing the ordinance in Title 10 would be fine, but added that Title 14 would be fine also. Councilor Taylor stated that the rule requiring 10' from another building is bad and Mayor Williams opened the topic up for public comment.

DC Orr commented that Councilor Taylor was being ignored and agreed that the 10' rule is bad.

John Bebee expressed displeasure with rules against him living in his property on his property adding that there are ADA rights involved as he is a disabled vet.

Zach McNew commented that the 10' rule would put his neighbor's camper in the street.

Jennifer Nelson asked if the Council had spoke with the Fire Chief to address safe distances.

Art Dudley commented that he lived in the county and in many other places with different rules and everything is getting crazy. Mr. Dudley added that citations are not good and asked the Council to do their homework.

With no further public comment, the Mayor returned the discussion to the Council. Mayor Williams stated that clarification would be requested from the Fire Chief and Councilor Smith made clarifications on the comments from the public.

Following the discussion, Mayor Williams closed the review.

Review 2023-2024 3rd quarter budget.

Mayor Williams opened the topic and clarified some main points before Clerk/Treasurer Monigold went through the expenditure and revenue budget for the 3rd quarter of fiscal year 2024 ending in March. With no comments from the Council, the Mayor opened the topic for public comment.

DC Orr commented that the police were at 55% adding that they are understaffed and have never went over budget. Mr. Orr recommended cutting an officer to pay higher wages and keep a good force.

Having no more public comment, Mayor Williams closed the topic.

Approve all claims received to date.

Councilor Zimmerman **MADE A MOTION** to approve, and Councilor Berke **SECONDED**.

Councilors Zimmerman, Beach, Ian Smith, and Kristin Smith and Taylor voted **FOR**.

MOTION PASSED.

Approve all business licenses received to date.

Mayor Williams read through the applications for Kingdom BBQ, Maddad Creamery/Kootenai County Ice Cream, and Old Soul Boutique LLC.

Councilor Zimmerman **MADE A MOTION** to approve the licenses and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Unfinished Business:

Discussion to amend Libby development Fund Policy and application process. Mayor Williams stated that the consensus among the Council was that more time was required and no public comment was offered.

General Comments from Council:

Councilor Taylor agreed with DC Orr about the quote on the sign adding that the person who wrote it should be reprimanded.

Councilor Berke stated that the Council hears the public on the rate increases.

Councilor Ian Smith stated that he was listening to the people and they don't want a rate increase. Councilor Smith added that, if the vote was today, he would vote no before adding that he was not a politician and that if the people want to pack water 10 years from now, go for it.

Adjournment:

Councilor Berke **MADE A MOTION** to adjourn, and Councilor Zimmerman **SECONDED**.

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

MOTION PASSED.

Meeting adjourned at 8:33 pm.

Peggy Williams, Mayor

Attest; _____
Samuel Sikes, City Administrator