

APPROVED MINUTES

The City Council held meeting #1654 on Monday, June 3, 2024, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:00 pm by Mayor Williams.

The Pledge of Allegiance was completed, prayer was by Jeff O'Connell, and roll call commenced. Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Ian Smith, Kristin Smith, Hugh Taylor, Brian Zimmerman, Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and (via Zoom) City Attorney Dean Chisholm.

Approve City Council minutes for meeting #1653 dated June 2, 2024:

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

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

MOTION PASSED.

Announcements: Mayor Williams gave a reminder; election day is tomorrow.

Committee Reports:

Administrator: Administrator Sikes reported for the Sewer Plant, two pumps are running again for the 1st and Montana lift station, a backup pump will be delivered in the next few weeks. The Stormwater Pollution Prevention Plan (SWPPP) was completed and has been sent to DEQ and has preliminary approval. That will be provided to Council to clarify any questions before putting in for the permit.

Water Department, working to get another leak survey to identify additional leaks. The repairs from the previous survey identified 23 leaks and those are nearly completed, we have figured it saved over 110 million gallons of water a year from the first survey. When the contract is received it will be presented to Council for approval. An additional survey is needed because some of the larger leaks were so loud the noise was interfering to locate other leaks.

Waiting on survey to be completed for Spruce Steet to go forward with the SLIPA grant to get that street replacement out for bids. The bid process will be set up to see how many lineal feet they can do for the exact dollar amount. Upcoming events, updating design and construction standards for the road widths on the new subdivision regulations and zoning map data, will be finding a company to do that.

Councilor Smith inquired who performed the SWP Plan and if it was reviewed. Also, inquired about the Emergency Response Plan. Mr. Sikes responded, he had written the SWPPP, DEQ reviewed it. The Emergency Response Plan is an existing document, just needs updates on names, contractors, and point of contacts.

Streets Supervisor: Justin Willaims reported there are two street opening with work currently in progress, on Balsam and on Louisiana. Water leak repairs, three 2" valve replacements. A work truck was run into and caught on camera; the individual has paid for the damages. Will be working with the County on replacing an 18-inch culvert on Education Way by Crotteau. There has been one sidewalk replacement and reimbursement, completed measuring and layout of block 18 in the cemetery adding 98 additional spots. Bathrooms at Fred Brown Pavilion have been repaired, pressure washing has been done at splash pad, Veteran's Memorial, and Pavilion concrete slabs. Fireman's Park campground host is onsite, bathrooms will be unlocked in the morning and locked at night to prevent vandalism. One seasonal employee left, and a new one was hired on Friday the 31st. The hydrant on California between Western Windshield and Davidson's office is out of service, working with Chief Lauer to find the best location to replace that hydrant. The water leak on Vanderwood has been mitigated and a new larger flag has been placed at the end of Mineral. There has been more vandalism, a large rock was removed from the Pavilion and ended up at the VFW, it has been moved back to the park, sinks and toilets were smashed at the Legion Ball Field, those individuals have been caught. The project at the Fire Hall has been started and will continue for the next few weeks.

Fire: Councilor Zimmerman reported for the month of April, 6 calls were received, 1 City, 5 RFD, 1 structure, 3 grass/wildlands, 1 false alarm, and 1 miscellaneous (outside trash). For the month of May, 6 calls, 2 City, 4 RFD, 1 vehicle, 1 grass/wildland, 2 mutual aid with Libby Ambulance, 1 false alarm, and one powerline for a total of 31 calls in 2024.

Police: Chief Ercanbrack reported for May, responded to 235 calls for service that include, assault cases, theft, 7 crashes, and assistance. The people were caught that vandalized Legion field and will now be working with the court. The hospital provided officers with new first aid kits.

Lights/Streets/Sidewalks: Councilor Beach announced a meeting will be held June 4th to discuss street abandonment requests and Mineral Avenue traffic and stop sign request.

Zoning Commission: Councilor K. Smith announced an item is on the agenda that was reviewed at April's meeting. Zoning Commission met May 23rd wrapping up recommendations to the Business Residential District, all recommended changes to zoning districts for residential will be coming to Council.

Finance: Clerk/Treasurer Monigold reported the audit is finished for fiscal year 23. The auditor reported everything looked very good and has scheduled an exit meeting for Thursday, June 13th at 12:15pm and requests at least one Council member to be present, Councilor Zimmerman said he could attend.

Wildlife: Councilor Taylor reported they have run into a bit of a snag for the turkeys. Local churches cannot take turkeys because they are not FDA approved. Still waiting to hear back from the food bank for confirmation if they could take the turkeys if they were personally processed and ground for them.

City-County Health Board: Councilor K Smith announced the next meeting is scheduled for Tuesday, June 11th.

Park District Manager of Projects: Tony Petrusa reported working with Libby Park District to create structure for recreational management facility in the Libby area and includes a memorandum of understanding with the Port Authority, Lincoln County, and Park District.

Swim pond construction is pending Brown Field review of groundwater contamination impact, received a \$20,000 grant from LOR to fund Libby Swim Pond design, received \$47,000 grant from Lincoln County Credit union to purchase equipment and liner for the Swim Pond. Design and material pricing is complete.

Libby Outdoor Recreation Association (LORA) plan on the Snowshoe Trail and Flower Creek still needs an environmental assessment review that will cost about \$100,000 and have hit a restraint with the Forest Service.

Pioneer Park, a bicycle/pedal track for younger kids is in the works, it will be 150' by 200' set inside of the park and waiting to hear from the contractor for the information. A cleanup was performed on the park with about 20 volunteers showing up.

A public meeting was held for Ski Dale Park to see what the community would like to see there. Better sledding was the main improvement the community would like to see, LORA is gathering volunteers to improve the sled hill. Will also be cleaning up the picnic area, trail, and trailhead leading to that area.

Mr. Petrusa discussed various grants that have been applied for different projects, \$600,000 has been received for the Balsam Street sidewalk and awaiting the Governor's office to sign off.

LORA has just applied for the Wester Montana Glacier County grant, waiting to hear on that request.

Public Comment on Non- Agenda Items:

DC Orr, 1117 Nevada Ave, expressed frustration about lack of transparency and inquired why the public was not being informed about IP Negotiations or a complaint against the police chief, causing mistrust.

New Business:

Public Hearing Noble Investments Properties LLC zoning change request:

Mayor Williams opened the Public Hearing at 7:28pm and explained the meeting was to receive public comment on the request submitted by Noble Investments to change the zoning for Parcels C1 and D of Certification of Survey 5014RB from Residential A to Highway Commercial.

Councilor K. Smith stated a memo had been sent indicating the Zoning Commission recommended approval unanimously for the zoning change and found the application to be justified.

Tina Oliphant explained the packet that was handed out along with a map showing the two parcels facing the highway.

DC Orr, 1117 Nevada Ave., expressed frustration with lack of clear answers about being zoned as medical.

Mayor Williams closed the Public Hearing at 7:33pm.

Approve Resolution 2033, Noble Investments Properties LLC zoning change:

Councilor K. Smith **MADE A MOTION** to approve the Resolution and Councilor Berke **SECONDED**.

Mayor Williams read Resolution 2023.

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

MOTION PASSED.

VFW request for burial of Thomas Elmont Hodgkinson:

Mayor Williams explained VFW's request.

Councilor K. Smith **MADE A MOTION** to honor that request and Councilor Taylor **SECONDED**.

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

MOTION PASSED.

Approve Dispatch contract with Lincoln County Sheriff's Office (LCSO):

Mayor Williams explained the contract did increase \$2,300.

Councilor K. Smith **MADE A MOTION** to approve the updated agreement with the Lincoln County Sheriff's dispatch and Councilor Zimmerman **SECONDED**.

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

MOTION PASSED.

Approve contract with Lincoln County Rural Fire District (LCRFD):

Mayor Williams explained the contract did increase \$2,155.

Councilor K. Smith **MADE A MOTION** to approve the agreement between County Rural fire and City and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Approve all claims received to date.

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

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

MOTION PASSED.

Approve all business licenses received to date.

Councilor Zimmerman **MADE A MOTION** to approve all business licenses received to date and Councilor I. Smith **SECONDED**.

Northwest Community Health Center Pharmacy at Highway 2, Old World Construction, and The Libby Haus LLC.

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

MOTION PASSED.

Unfinished Business:

Discussion to amend Libby development Fund Policy and application process:

Councilor Zimmerman discussed the biggest thing to decide is what they want to do with the money and how they want to do it before moving forward. If Council wants it to grow and continue to grow and able to use it, then they must entertain using a portion for loans. If Council wants to just use the interest off the money, he will agree, but would like to move forward and help the community whether it's private or public.

Councilor Beach inquired if Dean had responded to the question about using the funds for grant writing.

Attorney Chisholm assured Council there are no restrictions from the original grant and using this type of money would not violate the one-time money restrictions on public utilities.

Councilor K. Smith agrees with Councilor Zimmerman and strongly suggests they seed an executive director for the existing Community Development organization, that has been missing for three years. There will need to be a dedicated person with experience whose sole job is going after money. A lot of funding opportunities have been missed by not having a dedicated person to go after them. Having a dedicated person, the pot of money would be held onto, and they can pursue funds for projects where it would become a match, a bigger project, doing the things that are needed.

The council discussed KRDC's previous involvement and types of grants that could be applied for if someone was dedicated to getting those grants.

Councilor Zimmerman suggested never touching 1 million of the funds but using the remaining funds and interest to give as loan and use for grants.

Councilor Taylor suggested having a city grant writer where the Council is in charge of the funds and making the decisions, but the grant writer get those grants, levy the money for us, and use the money for matches if needed. The interest could be used for public projects like parks, baseball, or soccer fields, etc.

The council discussed maintaining control of the funds but utilizing KRDC with its board of directors and 501C3 status, new members would have to be sought after. Councilor Taylor inquired about Councilor K. Smith position on the KRDC board of directors and stated it would be a conflict of interest. Councilor K. Smith stated, as president of KRDC, stepping down so there would be not conflict of interest.

Councilor Beach supports funding a grant writer and has concerns about using an outside entity for the grant writing, if that person gets super busy, they may be chasing other peoples desires and needs and leave the City footing the bill, but not reaping the benefits.

The council discussed having a city grant writer but using the organization as a pass through to process applications, do the initial screening and administration. Councilor K. Smith stated she would provide the Council with documents to show how KRDC is set up, along with a job description.

Councilor Zimmerman suggesting doing a revolving loan with a portion of the funds so it does not just rely on interest to support projects, because over time the interest rate falls and there would not be much to give out, if a great project came up and \$10,000 was given out it would begin to deplete the fund and over time that fund would disappear. As a loan, the contract could state interest is paid every year until the close of the contract, so money is made off it.

Councilor Berke agreed with Councilors Taylor and Beach for it to be City controlled and have the final say and strongly agrees the need for a grant writer.

Councilor I. Smith agrees there should be a grant writer.

General Comments from Council:

Councilor K. Smith inquired about instituting fines for contractors who do not close within a certain level of time and suggested looking into what other communities do and prepare a resolution.

The council discussed various street openings that are problems around town. Justin Williams explains the main reason for such a delay is the contractors' inability to get ahold of asphalt mix in a timely manner, due to weather, to fix those openings.

Mayor Willaims commented Mike Fraser is resigning his contract at the end of June and will continue with any projects he has open with the city. An advertisement went out for a new engineer, the only application was Andrew Evanson. There are concerns of some conflict of interest since he does some engineering projects in the area. There is a meeting scheduled with him and Mike to see if we can work through those projects.

Adjournment:

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 8:03 PM.

Mayor Peggy Williams

Attest: _____

Clerk/Treasurer Leann Monigold