

APPROVED MINUTES

The Libby City Council held regular meeting #1658 on Monday, August 5, 2024, in Council Chamber at Libby City Hall.

Call to Order:

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

Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Kristin Smith, Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and (via Zoom) Councilors Ian Smith, Hugh Taylor, Brian Zimmerman, and City Attorney Dean Chisholm.

Announcements: Mayor Williams announced the city moved into Stage 1 fire restrictions on Saturday at the request of Steve Lauer, Fire Marshall, along with the Forest Service, State, and other agencies. Last year Dean set up a resolution so the mayor could set restrictions and remove the in step with those agencies.

Committee Reports:

Administrator: Administrator Sikes reported the Sewer Department's oxidization ditch has had a problem with the oxygen levels, Lead Operator Deanna Bee has corrected the issue. The SWPPP has been received by the DEQ and initial training on the plan will be at the next safety meeting.

Water Department: repairing the identified leaks and adjusting the gate valve to only allow minimum flow is keeping water levels steady in the upper reservoir.

Other items: Engineers are working on Spruce Street project for the SLIPA Grant, annual Rural Development reports have been submitted, working with DEQ on open pit mining permit for gravel pit on Pipe Creek Rd., and the Lead Service Line Survey is being completed.

Streets Supervisor: Justin Williams reported the City Crew has been sweeping, jetting, patching potholes, removal and cleanup of trees. Islands in City Hall and Pure North parking lots have been cleaned up and rock has been added. Curb and gutter repairs on Bush, Poplar, and California. Paving for street openings due to water repairs, replacing sidewalks, and repairs made to Fireman's Park bathroom. Rebuilt press at WWTP, added a new water main extension into old ASA Wood property for new Ortho rehab building.

Upper reservoir water levels are holding steady, July 8 was 9ft. 8in., July 19 was 9ft. 7in., July 29th was 9ft. 4.5in., and Aug 2 was 9ft 4.5in. Still waiting to hear back from the most recent water leak survey.

Councilor K. Smith expressed excitement for the sidewalk replacement and inquired what the City's contribution is. Mr. Williams stated the city contributes \$10 a lineal foot for residential and \$15 a lineal foot for commercial.

Police: Chief Ercanbrack reported 255 calls for service in the month of July, responding to 3 assault, 11 thefts, 8 crashes, 8 juvenile cases, and 47 traffic stops.

Lights/Streets/Sidewalks: Councilor Beach reported waiting for response from engineer for Mineral Avenue traffic and stop sign.

Parks district Manager of Projects: Tony Petrusha reported, working with Libby Park District, Port Authority, and Lincoln County to manage facilities in Libby area, ground maintenance of Port recreational facilities has been completed, EPA review of groundwater contamination is done, and swim pond start date will be established. Mr. Petrusha described location near the fishpond would be located. LORA is working with USFS for 12 miles of the Snowshoe trail, Pioneer Park bike track design approved Aug 4th. Construction will be done by experienced volunteers; Boy Scout Eagle project is reworking existing trail.

The following projects have been submitted for the Natural Resources Damage (NRD) grant:

Balsam Street Sidewalk (rejected), 2-year funding for Recreation manager and contract is being drawn up to move forward, Flower Creek rubble pile removal may be moving forward pending support letter from City of Libby, and Norgard Trail and parking area is moving forward.

Fire: Councilor Beach reported 8 calls for the month of July, 1 call in City, 4 calls in rural Fire District, and 3 calls outside City or RFD. 1 vehicle, 3 grass/wildland, 1 mutual aid, 1 fire alarm, and 2 electrical for a total of 51 calls for 2024. Inspecting, flushing and painting hydrants continues through August.

Mayor Williams, regarding the Parks report, stated support letters for the rubble pile and Balsam Street have been submitted and accepted by NRD. We now will have to wait for the decision.

Public Comment on Non- Agenda Items:

Zannie Riddle commented on the need for a stop sign on Mineral Avenue. Due to the angled parking, it is challenging to back out safely.

Zack McNew, 127 Cabinet View Rd., commented on August 16th, 3pm – 5pm, the park next to the old high school will be dedicated as Rotary Community Park, invited Council to attend the ribbon cutting at 4pm.

New Business:

Approve Rotary to take over Dept. of Labor Banner Project:

Janelle Kimberlin from Department of Labor and Industry described the two phases of the Industry Awareness Banner project, funded through the City with the use of a LOR grant. The initial project is now complete, and several entities have been approached to take over the project. Rotary has agreed to take over the banner project with Council approval. Ms. Kimberlin described the responsibilities and possible ideas, with the banner project, going forward.

The council inquired how it would look going forward and what kind of involvement and decisions the City would have on the type of banners are hung on the brackets. Acknowledging it would be good, because of manpower, to have another entity managing the banners and Christmas decorations going up and down.

McKenzie Williams, Rotary Club, said the project would be kept local, positive, and continue to beautify the town.

The council was in agreement to let Rotary take over the project but would like to have a policy created stating the City would be involve with the decision on what type of banners would be hung. The council agreed to postpone the decision until the next meeting on the 19th of August, to give more time for questions to be answered and some a policy to be created.

Janelle Kimberlin requested approval to post flyers about the banners on the light poles downtown during Ignite the Nites. The council agreed that would be fine.

Approve Street Closure for Chainsaw Carving, September 4th – 9th:

Troy Douthit requested a street closure for the 8th annual chainsaw carving contest, explaining it is the same street closure plan as the last 4 years, closing the 4th at 7am and streets will be clean by 6am on the 9th. Mr. Douthit requested the open container be approved during those hours.

Councilor K. Smith **MADE A MOTION** to approve the street closure, as well as a waving of the open container ordinance for the chainsaw carving September 4th through 9th, as detailed in the timeline, Councilor Berke **SECONDED**.

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

MOTION PASSED.

Mayor Williams reminded Mr. Douthit for the open container variance there are restrictions he would need to abide, like making sure it stays out of the hands of minors, requesting he look at the ordinance to know the requirements.

Approve Street Closure for Paint it Pink, September 28th:

Rachel Rebo and Jayda St. Auge, Glacier Bank, requested a street closure for the Paint it Pink Fun Run/Walk, from Glacier bank on 6th St. through 3rd St., September 28th, 9am – 11am and requested barriers.

Councilor Beach **MADE A MOTION** to approve the request of street closure by the Glacier Bank for the Fun Run, Councilor Berke **SECONDED**.

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

MOTION PASSED.

Approve Preliminary budget (Public Hearing/final budget approval August 19 meeting):

Clerk Treasurer Monigold explained the process of starting the preliminary budget is to carry over the beginning expenditure budget from the previous year, revenue budget figures are entered as the information is received, the property tax information was received earlier in the day. Tax revenue had been estimated at a \$20,000 increase for the preliminary budget meeting, actual will be \$21,600. New tax being received this year is the 3% cannabis tax, the first quarterly disbursement has been received and has been estimated at \$13,000 for the year, other revenue is estimated by averaging the last 4 years received. Another new item added this year was the Local Government Study fund being funded by a tax levy, voted in last year.

The expenditure budget is carried over from the beginning of the previous year then is adjusted by entering any known increases such as contracts and insurance. The Emergency Relief account was added, set at 2 mills. With the slight increase in revenue, training budgets were increased for all departments, chemicals for Water and Sewer, the police budget was the highest increase.

Councilor K. Smith **MADE A MOTION** to approve the preliminary budget, Councilor Beach **SECONDED**.

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

MOTION PASSED.

Mayor Williams announced the public notice for the Budget Public Hearing will be advertised in Wednesday's Western News and the following Wednesday and will be part of the regular meeting on the 19th.

Approve all claims received to date.

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

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

MOTION PASSED.

Approve all business licenses received to date.

Byron O’Bleness Construction LLC, Heritage Drywall, Intercept Handyman Services, and Libby Locksmith.

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

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:

Mayor Williams requested the conversation be postponed.

General Comments from Council:

Mayor Williams commented there are a lot of unmowed, uncut weeds around town that could become a potential fire hazard and would like to think of a way to get the word out about the need to cut the weeds in the alleys and yards before they become a problem.

Mayor Williams commented, talking about the EPA, DEQ, and Natural Resource Damage grant, a Zoom conference with John Tester was held last week included Kristin, Hugh, Alan Payne, herself, regarding the EPA, asking them to help bring the EPA on our side in the negotiations with IP.

Councilor Taylor and K. Smith commented, it was a good conversation and well received. Looking forward to working with them and after immediately receiving calls following the meeting, hope to gain some traction to help mitigate some of the water damage.

Councilor K. Smith commended that the meeting was to ask that his office put pressure on EPA for IP to come the table. Second, to get EPA to revisit the technical impracticability waiver, issued over 30 years ago for the lower aquifer for the ground water, with the advance in technology in that time, we think they would be willing to reevaluate. Third, was to consider making requests to the Inspector General's office as to why it is taking 40 years and another projected 40 years to clean up Libby's groundwater. Those questions were well received.

Mayor Williams commented that a call was received, following the conversation, from the EPA HQ in DC, asking a couple of background questions. They are going to assemble a team to meet with us to try to find resolutions to some of those questions. During the Conversation John Tester asked if we had been in contact with the Natural Resource Damage grant. Mayor Williams said just a few days prior she had been contacted to see if the city would be willing to look at the NRD program regarding International Paper. A Zoom call was held with Sydney Stewart and Doug Martin and questioned why now since this has been going on for 40 years? They are going to start looking into making that request and suggested the potential of maybe being able to write our statement for our claim into that request, but it is iffy at this time and is at the discretion of the governor. During the last 3 years we have tried to meet with the EPA to try to get them to the table, that has fallen through. There was a long period of silence and in that one week there was a lot of action, now we wait and see.

K. Smith wanted to let everyone know that IP had completely stopped communicating with the city and EPA has been no friend to the city to facilitate renegotiations.

ADJOURNMENT:

Councilor Berke **MADE A MOTION** to adjourn, Councilor Beach **SECONDED**.

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 8:04 PM.

Mayor Peggy Williams

Attest: _____

Clerk/Treasurer Leann Monigold