

APPROVED MINUTES

The Libby City Council held regular meeting #1660 with FY 25 Budget Public Hearing on Tuesday, September 3rd, 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 Ian Smith, Kristin Smith, Hugh Taylor, Brian Zimmerman, Administrator Sam Sikes, Clerk/Treasurer Leann Monigold, and (via Zoom) and City Attorney Dean Chisholm. Councilor Berke was not in attendance.

Announcements: Mayor Williams announced the appointment for the vacant council position will be at 6pm on September 16th, applications are available on the website and due at City Hall by 5pm September 11th. On September 16th there will be a public hearing regarding a variance request for a fence that was built in the visibility triangle.

Committee Reports:

Administrator: Administrator Sikes reported for the Sewer Department, SCADA Electronics is installing plant controller, hoping to have mains repaired and asphalt repairs completed before the snow flies, and a blower for the oxidization ditch has been sent to Kalispell to have the bearing rebuilt.

Water Department, leak survey has been completed and hope to start fixing the leaks in the next few weeks, the survey shows roughly 68 million gallons a year in loss and adding that to the projected 110 million gallons a year savings from the last go around we should be saving about 36% of water produced by the treatment plant.

Other items, Lead Service Line Survey is being completed.

Streets Supervisor: Justin Williams reported the crew has been sweeping, jetting, and patching potholes. A hydrant has been rebuilt on Oak St., there have been 8 interments at the Cemetery for the month of August. Two sewer lines have been replaced on Montana Ave and Louisiana Ave, three water service lines replaced on Conifer, Commerce Way, and Scenery Loop. Two water mains and one sewer main extensions have been extended into the old Asa Wood property. Other activities include a culvert replacement on Education Way, paving on Louisiana, 3rd Street, Spruce St., Education Way and Parmenter, and two loads of peat moss hauled from Moyie Springs to the cemetery to mix with backfill.

Police: Chief Ercanbrack reported 218 calls for service for the month of August, Seth Power has completed field training and is on his own, Officer Smart is at the Academy and receiving good reports from the Academy. The car show went well, there was one bad crash, fortunately everyone lived. Alcohol was involved.

Streets/Lights/Sidewalks: Councilor Zimmerman reported he has not received the information from Gary yet. Councilor K. Smith said she did chat with the city engineer about the request for some attention on Mineral, and he is going to put together some recommendations to consider.

Zoning Commission: Councilor K. Smith announced a meeting will be held Monday the 9th to review an annexation zoning request from the pickleball court and review a zoning change request on one of the properties at old Asa Wood.

Public Comment on Non- Agenda Items:

DC Orr, 1117 Nevada Ave., commented this was the fourth time he is requested a spot on the agenda to discuss the policy for getting put on the agenda. Mr. Orr believes he is being censored by not being allowed on the agenda and expressed his reasons why he believes the council is not doing their job.

Public Hearing – City of Libby 2024-2025 budget:

Mayor Williams called the Public Hearing to order at 7:20pm.

Mayor Williams explained the slides on the PowerPoint presentation that covered, in detail, the Revenue and Expenditures for all funds in the fiscal year 25 budget.

Councilor K. Smith expressed her appreciation and commented she has been working with the city for 15 years and on council for 8 years, and has seen in the last 10 years, the staff at the city has done a better and better job each year with the City’s resources. Expressing that she is proud of the work and dedication put into creating a budget that includes monies that can be spent on useful technology and projects. It was not a thing 12 years ago.

Mayor Williams explained part of that has been made possible using some of the ARPA money and Covid monies to payoff debt, roll remaining budgets into the Capital Improvement Plan, and the departments don’t pinch pennies, but they make sure it is spent well.

There were no public comments.

Mayor Williams closed the Public Hearing at 7:42pm to resume the regular meeting.

New Business:

Approve Resolution 2037 fixing annual appropriations for the City of Libby for 2024-2025 budgets:

Councilor Zimmerman **MADE A MOTION** to approve Resolution 2037, Councilor K. Smith **SECONDED**.

Mayor Williams explained Resolution 2037 is a summary form of what is seen on the budget.

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

MOTION PASSED

Approve Resolution 2038 setting tax levy for the year 2025 upon all real property in the City of Libby for General and Special Purposes:

Mayor Williams read Resolution 2038.

Councilor Zimmerman **MADE A MOTION** to approve Resolution 2038, Councilor I. Smith **SECONDED**.

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

MOTION PASSED

Approve Resolution 2039 setting the salaries and wages of elected officers, appointed officers, and city employees:

Councilor Zimmerman **MADE A MOTION** to approve Resolution 2039, Councilor I. Smith **SECONDED**.

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

MOTION PASSED.

Approve all business licenses received to date.

JCCS Concrete LLC and A Handy Helper Services LLC.

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

Councilors 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 commented Mr. Taylor would like to rule out loans and inquired what other items anyone wanted to expressly rule out so she can figure out how to start wording the document.

Industry Awareness Banners:

Mayor Williams explained Rotary decided to pull out taking over the banners. Janelle is trying to figure out what to do with the banners and how we want to approach that. Asking everyone for input about what they want to see and not see so a simple policy could be created.

Mayor Williams explained the information she had as to why they did not want to take on the banner project. Then gave examples of what type of banners she has seen in other communities.

Councilor K. Smith said the city should develop a policy of what we want and are willing to partner somehow and not just dump on somebody else, feeling the city should step up and be party in some fashion.

General Comments from Council:

Councilor K. Smith commented, realizing Mr. Orr has come and says he's got to be on the agenda. With her experience, years on Council and previous experience, when you have a strong Mayor/Council form of structure, the mayor sets the agenda, all mayors in the past have set the agenda and personally has no issues with it. There are council policies and procedures they operate by, and she does not believe Mr. Orr is being censored, he gets to stand up and comment. Nothing is prohibiting Mr. Orr from submitting something in writing for them to consider but does not believe he has an action item for them to act on, his three minutes is enough berating the council on a bi-weekly basis. If Mr. Orr has something for the Council to consider she would like to see it in a formal proposal to be considered. Mr. Orr did not stick around for general comments, which is when Council decides things they might want to request be added to the agenda.

Mayor Williams suggested if the Council wants information about agendas, soon having half the Council with no official training, it is time to look into bringing Dan Clark in and do some training and updating. The current policies and procedures and current agenda policy came from a meeting with Dan Clark about 6 years ago and there have been no updates to them since that time.

Mayor Williams and Council Zimmerman discussed, with Mr. Beach gone and a new member being appointed along with the new members of Council, training would be very beneficial.

Councilor K. Smith commented that the Montana Local Government Center, with the MSU Extension office, do a phenomenal job helping municipalities across the state and Dan Clark is an institution in himself and worth every minute.

Mayor Williams reminded the training is not paid for by the legislature so the city would need to pay to have him come. Councilor Zimmerman suggested checking with Dan to see if he would be available in the next 30-90 days.

Councilor I. Smith disagreed with not letting Mr. Orr on the agenda.

Councilor Taylor stated all taxpayers and constituents should have the opportunity to get answers. Mayor Williams said he has the opportunity to get answers to his questions. Councilor K. Smith stated she believes what he says on the platform and what steps he takes for communication are two different things.

Councilor I. Smith said he can see his point of view for censorship by not letting somebody get up and say their peace.

Councilor Smith said it is absolutely not censorship, every single person has three minutes to get up and speak their peace and they can also speech on every other agenda item. Unless it's a matter of municipal business that we need to act on a person is not an action item, they are not an agenda item unless it is a like a proclamation for somebody's honor, that is the only time she has ever seen an individual as an agenda item.

Councilor Taylor commented after being approached by several people about possible drought conditions last year and seeing signs going up about a hotel coming in and Noble's building, what are the impact fees being addressed on the Port Authority property?

Administrator Sikes replied, with the water and sewer fees there is a charge for lodging by rooms, the city is looking at over \$100,000 in fees for that. Before they can connect to water and sewer the city engineer will have to approve and study to see if our water plant and sewer plant can handle the infrastructure itself. If the city engineer figures our systems cannot handle it, then it will be up to the developer to hire an engineer to figure out how to make upgrades to our system, at their expense for both water and sewer, to be able to handle that. Councilor Taylor had concerns about the amount of water after the possibility of rationing water last year. Mr. Sikes explained that with the 36% increase from the repairs, roughly 110 million gallons, 68 million gallons would well cover that, and the sewer plant is roughly at 60% capacity right now.

Councilor Taylor inquired about the annexing of the golf course area and the new subdivision in the Port area and having to allow for water and sewer, with concerns of adding more people if running short already. Mayor Williams and Councilor Zimmerman explained the golf course area was already in the city, but the new subdivision still has to be approved, and the water and sewer study is part of that. Mayor Williams said Mr. Justin Williams has been monitoring the reservoir every Friday.

Mr. Williams said July 15th the reservoir was at 9'8" on the side of the dam, a week later 9'7", the following week 9'5", the following week 9'4", these were the hottest time of the summer.

Councilor K. Smith said looking at policy, fees, or some kind of structure. It has been discussed in the past but has not gotten to the crucial point to have a moratorium.

Council discussed the concerns and solutions of having a larger impact on the City's current infrastructure.

Councilor K. Smith reminded everyone the Chainsaw Carving was being set up and encouraged everyone to go enjoy it.

ADJOURNMENT:

Councilor Zimmerman **MADE A MOTION** to adjourn, Councilor K. Smith **SECONDED**.

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 8:09pm.

Mayor Peggy Williams

Attest: _____

Clerk/Treasurer Leann Monigold