

MCA 2-3-212. Minutes of meetings. Minutes must include without limitation: (a) the date, time, and place of the meeting; (b) a list of the individual members of the public body, agency, or organization who were in attendance; (c) the substance of all matters proposed, discussed, or decided; and (d) at the request of any member, a record of votes by individual members for any votes taken.

APPROVED MINUTES

The Libby City Council held regular meeting #1668 on Monday, January 6, 2025, in Council Chamber at Libby City Hall.

Call to Order:

The meeting was called to order at 7:01 pm by Mayor Williams.

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

Announcements: Mayor Williams announced next meeting would be moved to Tuesday the 21st for the Martin Luther King holiday

Approve minutes for Regular Council meetings #1664 held November 4, #1666 held December 2, #1667 held December 15, 2024:

Mayor Williams announced there had been a request from Mr. Orr to address each set of minutes separately so he can have his three minutes to comment on each one.

Councilor Zimmerman **MADE A MOTION** to approve minutes for regular Council meeting 1664, 1666, and 1667, Councilor Berke **SECONDED**.

Councilor Taylor disagreed with the motion. Mr. Taylor stated he had reviewed the minutes 1664 regarding the comment Mr. Orr brought into question about Ms. Smith's comments during general comments from Council, explaining that was almost word for word from audio and it does depict the synopsis of the statement.

DC Orr commented council has the right to call point of information to extend his comment time. Mr. Orr feels his Constitutional rights were violated when Councilor Smith had called Point of Order during his comments because he did not receive his full three minutes to comment.

Councilor K. Smith stated the minutes accurately reflect the meetings.

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

MOTION PASSED.

Committee Reports:

Administrator: Administrator Sikes reported a leak has been identified at the sewer plant, between the clarifiers and oxidization ditch and explained the repair needed and will be getting an estimate together to find out cost. The backup generator needs to be replaced costing over \$50,000, and a new boiler is being put in costing approximately \$30,000.

For Water department a new water distribution operator was hired and is being trained to read meters, in December the city was without a meter reader, so bills were estimated based on the previous months' usage.

Sherry Turner with the Tourism Grant Project submitted the final grant application to the Department of Commerce, is looking at being able to do 14 of the 23 funded projects which will include new guard rails on the old Hall Bridge, to be completed by June 2027, estimated at \$125,000.

Fire: Councilor Zimmerman reported for the month of December, 9 calls were responded to, 2 calls for city, 5 calls for Rural Fire District, 2 call outside city or RFD, 2 structure, 2 chimney, 3 mutual aid with ambulance, 1 false alarm, and 1 miscellaneous for a total of 87 calls in 2024.

Annual report for 2024, average turnaround time was 5.53 minutes, average response time was 10.03 minutes, average time on scene was 43.57 minutes, average personnel responding was 15.7 members, total training hours were 2738 hours, total time spent on incidents were 634.19 hours that becomes a total \$101,190 donated to Libby.

Streets: Justin Williams reported crews are jetting, patching potholes, and repairing equipment. New carrier unit (truck) for sewer main jetter is up and running, one employee is out on medical leave, brine has been being spread because of the ice rain and snow, one commercial water line replaced, one water main repair, tree cleanup on City Service Road. 1st and Montana Ave. lift station is having issues with all the woven towels that are being flushed.

Police: Chief Ercanbrack reported for 2024 officers investigated 2202 cases, including 100 thefts, 39 assaults, 67 threatening cases, 98 disturbances, 35 citizen disputes, 27 disorderly conduct, 34 criminal mischief, 7 domestic violence, 105 crashes, and 105 calls to 911 unable to be classified, 474 traffic stops, 213 suspicious acts, 74 city ordinances, and 32 drug or alcohol cases. In 2024 the Libby Police Department received \$100,559 in grants.

Wildlife: Councilor Taylor reported there is a new biologist in the Libby area. Councilor Taylor will be meeting with him, FWP will continue the CWD harvest of animals this season and will be working on options for our turkeys. Locations for traps will be discussed and anyone interested in use of their property for CWD traps reach out to Mr. Taylor or Mr. Sikes.

Parks District: Tony Petrusha reported working on grants and trying to get deadlines met, will be working on a future list for NRDP project, Turner Mountain opened having 560 skiers over the weekend, and introduced new hire Adam Noble.

Public Comment on Non- Agenda Items:

DC Orr, Local Government Review Commission requests to be put on the agenda to explain to the council what the committee has been doing and to have an action item to be added to the list of committees. Explaining the committee has been reviewing the City Charter and believes the city has a great form of government, the committee will be making recommendations to tweak some things.

Vince Backen inquired if John Bebee could be put on the Government Review Commission and suggested the mayor should be a paid position.

John Bebee complimented the Council for their due diligence and participation in the community and complimented the city workers in all departments for doing a good job. Mr. Bebee feels he would be a good fit on the Review Commission and expressed his willingness to become a member.

Old Business: None

New Business:

Sydney Stewert – State Asbestos Resource Damage Grant (Information):

Sydney Stewert and Brian Bartkowiak, Natural Resource Damage program, described the program and explained several natural restoration projects they have done. Ms. Stewert explained a summary of the Libby asbestos restoration fund, they received \$7.1 million, \$2.1 million was used to repay past costs incurred during settlement negotiations, \$2 million has been allocated for early restoration, and \$3 million is being reserved for future restoration projects. The presentation was for information and to give everyone a chance to begin thinking of possible natural restorations projects.

DC Orr commented he would be contacting them about the Flower Creek waste gravel pile.

Tony Petrusa inquired about the definition of a resource. Ms. Stewert gave examples. what would be considered a natural resource.

Approve Committee recommendation of skatepark placement:

Councilor Berke explained that the Parks Committee met to talk about placement for skate park feature, an 18 X 25-foot mini ramp. After looking at many different locations, Fireman’s Park would be the best placement.

Councilor K. Smith **MADE A MOTION** to approve the Fireman’s Park location for the mini ramp, Councilor Burger **SECONDED**.

Jennifer Nelson commented in favor of the skate park and described the size of other skate parks in Montana. Ms. Nelson does not agree with the proposed location of the skate park and believes it is not appropriate to be near to the cemetery.

John Bebee commented in favor of the skate park and agrees with Ms. Nelson's concerns and believes the committee should explore more options. Mr. Bebee suggested getting rules for committees and recording the meetings.

Jarad Pheonix, involved with the skatepark project, is in favor of the location for the mini ramp.

Ben Montgomery, involved with the skatepark project, wanted to clarify this is a skatepark feature and not a full skatepark, explaining the size would be comparable in size to other features in the park.

Tony Petrusha commented the committee went into a lot of details to find the best location and encouraged Council to approve.

DC Orr supported the idea of a skatepark and commented that the old skatepark had been demolished to build houses. The houses were sold, and Mr. Orr believes \$15,000 was set aside for a new skatepark. He encouraged Council to approve the project and come up with \$15,000 to help.

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

MOTION PASSED

Kootenai Angler request for rent space next to Legion field (discussion):

Dave Blackburn, Kootenai Angler, explained his fly shop business and proposed business idea to have a portable 12 X 20 mini fly shop, running mid-May through mid-October and requested the use of two possible locations on city property. 1.) The area outside the Legion Field fence along California Ave. 2.) By Riverfront Park, in the graveled area near the railroad tracks.

Councilor K. Smith explained there was a park plan designed around 15 years ago envisioning recreational businesses to be in the exact location requested in Riverfront Park. Ms. Smith expressed her support.

Councilor Zimmerman inquired if the second location would be more beneficial being so close to the boat launches. Mr. Blackburn said with proper signage that the location would work, but the first location would be ideal for customer visibility and access, a temporary power source would also be available and unsure about getting power in the second location but could try to find an alternative source. Councilor K. Smith, preferring the park location, suggested power could be something the city could explore and potentially lead to further development of that area.

Mayor Williams and Mr. Blackburn discussed the possibility of the Farmers Market being in the same location on Thursdays.

The council was in support of Mr. Blackburn's portable fly shop to be placed in Riverfront Park area and would be moving forward on how to write that type of lease.

Approve Department of Commerce grant opportunity for Mineral Avenue:

Mayor Williams explained the Department of Commerce Technical Assistant grant for Mineral Avenue and believes it would be a great opportunity for sidewalks and decorative streetlights downtown.

Councilor K. Smith **MADE A MOTION** to authorize the mayor to apply for the Department of Commerce grant opportunity, Councilor Zimmerman **SECONDED**.

Councilor Taylor inquired if the grant would require a city match, Mayor Williams responded, this grant does not.

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

MOTION PASSED

Approve all alcohol license applications received to date:

Cabinet View Country Club and Heaven's Peak Organics Market

Councilor Zimmerman **MADE A MOTION** to approve all alcohol license applications received to date, Councilor I. Smith **SECONDED**.

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

MOTION PASSED.

Approve all business license applications received to date:

4B's Libby LLC, Mid Town Builders Corp., and Pinnacle Designers LLC

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

Councilor K. Smith inquired if 4B's was changing ownership. Mayor Williams replied 4B's is moving to local ownership.

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

MOTION PASSED.

Unfinished Business:

Discussion to amend Libby Development Fund Policy and application process:

Councilor Burger would like to see Council move forward and get some solid plans on a couple of things to spend the money on.

General Comments from Council:

Councilor Taylor suggested the Study Commission have a placement on the agenda. Council was in favor.

Mayor Williams explained there will be a Government Study Committee appointment and a planning board appointment at the next meeting.

Mayor Williams explained the information sent out about Reimagining Rural that had an application date of the 13th and asked Council if there would be any interest. The council discussed the requirements with such a short window. The council had concerns about such a close deadline and felt the requirements would not be ready in time.

Councilor Berke inquired about the advertisement for the Study Commission. Mayor Williams explained the first deadline had closed when Mr. Bebee turned in his application. Another advertisement had already been placed, so Mr. Bebee’s application would be considered part of the second round.

ADJOURNMENT:

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 8:30pm.

Mayor Peggy Williams

Attest: _____
Clerk/Treasurer Leann Monigold