

## APPROVED MINUTES

The City Council held meeting #1564 on Monday, March 1, 2021, in the Council Chambers at City Hall.

### Call to Order:

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

The Pledge of Allegiance was completed, and Roll Call commenced. Present were Mayor Teske, Mrs. Williams, Mr. Dufficy, Ms. Smith, Mr. Taylor, Mr. Zimmerman, and City Clerk/Treasurer Mr. Sikes. Mr. Beach was absent.

Mayor Teske welcomed all, and the prayer was offered by Leona Mast.

Approve City Council Meeting Minutes for #1563 dated 16 February 2021. Councilor Smith **MADE A MOTION** to approve, and Councilor Zimmerman **SECONDED**.

Mrs. Williams, Mr. Dufficy, Ms. Smith, Mr. Taylor, and Mr. Zimmerman voted **FOR**. Mr. Beach was absent.

**MOTION PASSED.**

### Announcements:

No announcements were offered.

### Committee Reports:

**City Administrator's Report:** Mayor Teske read over Mr. Hammons report mentioning that spring is almost here while not wanting to jynx it, meaning going through winter without having to plow.

**Fire:** Councilor Zimmerman reported that LVFD responded to 7 calls for service. The calls consisted of 3 for the City, 3 in the Rural District and 1 outside of both. 1 was for a structure, 2 for chimneys, 2 for ambulance assistance, 1 false alarm and 1 for a propane. This brings the total number of calls to 27 for 2021.

**Police:** Police Chief Kessel reported 233 calls for service in February as opposed to 281 last year. Of the calls 11 resulted in arrest and 25 in citations whereas last year it was 16 arrests and 34 citations. The numbers are lower due to receiving less calls for suspicious activity and fewer traffic stops this year.

**Resolution/Ordinances:** None.

**Lights/Streets/Sidewalks:** None

**Building:** None.

**Water/Sewer:** Mayor Teske reported the City is working with the Engineers and DEQ to get the variances approved for the new Bar Screen at the Wastewater Plant. It is hoped that preapproval will streamline the project timeline for a quicker completion date.

**Zoning Commission:** None.

**Cemetery/Parks:** None.

**Finance:** Mr. Sikes reported that there was a lowering in the Workman's Comp rates and that Black Mountain Software was going to be updated. Mr. Sikes also reported that the USDA was really going over the annual report due to submitting that last two years' worth at once adding that thus far the USDA was very pleased with the submissions.

**KRDC:** None.

**City-County Board of Health:** Mayor Teske reported that the City was still accepting applications until the 10<sup>th</sup> of March with interviews and appointment set for the 15<sup>th</sup> of March. Councilor Smith asked if the City had received any applications to which the Mayor answered that the City had not received any to date.

**Park District Manager:** None.

**Public Comment on Non- Agenda Items:**

Dr. Ben Scott, 252 Woodland Heights Rd., passed out the third draft of the Source Water Delineation and Assessment Report from Kristi Kline with Rural Water. Mr. Scott voiced concerns and disappointment with the entire process and with all parties involved. The frustration comes from the perceived lack of action on the project and supposed lack of communication between the Ski Club and Kristi Kline with Rural Water. Dr. Scott went on to describe the amount of logging and roads within the entire watershed in comparison to the small footprint that the Ski Club is trying to utilize.

Mayor Teske explained that Kristi Kline wants to meet with the Club adding that the draft proposals were inadequate and that the process takes more time than Dr. Scott believes is acceptable due to several steps that must be completed after the assessment phase currently being worked on. Mayor Teske and Dr. Scott had a brief discussion on the various owners of land in the watershed to which the Mayor answered that the City has no control over the USFS or County property adding that the City can only control what it can control.

Councilor Smith asked if there was a completion timeframe to which the Mayor answered no explaining that the draft assessment was only part of the process. The Mayor understands that patience is required and explained that the Council members or concerned citizens can call Ms. Kline adding that communication is the biggest problem right now in the process.

Dr. Scott brought up that tons of sediment are flowing into the reservoir already and the club vehicles were not as destructive as all the logging vehicles to which Mayor Teske stated that the City will not add additional burden onto the area and that the City has no control over the USFS or DEQ.

**New Business:**

**Adopt Resolution 1975 – 2018 International Energy Conservation Code.**

Mayor Teske explained to the Council that a previous Resolution was passed streamlining this process so that the Council simply adopts the International standards that the State publishes.

Councilor Smith **MADE A MOTION** to adopt the 2018 International Energy Conservation Code and Councilor Taylor **SECONDED**.

Mrs. Williams, Mr. Dufficy, Ms. Smith, Mr. Taylor, and Mr. Zimmerman voted **FOR**. Mr. Beach was absent.

**MOTION PASSED.**

Councilor Dufficy asked if the Resolution intentionally stated “International” to which Mayor Teske responded that the State adopts International Codes and thus requires the City to adopt the same codes.

**Approve all business licenses received to date.**

Mayor Teske read through the applications for: My Hearing Centers, Kootenai Chemical, Rosita’s Mexican Food, and Wildflower Beauty and Boutique.

Councilor Smith **MADE A MOTION** to approve the licenses and Mr. Taylor **SECONDED**.

Mrs. Williams, Mr. Dufficy, Ms. Smith, Mr. Taylor, and Mr. Zimmerman voted **FOR**. Mr. Beach was absent.

**MOTION PASSED.**

**Approve claims and payroll for February of 2021.**

Councilor Zimmerman **MADE A MOTION** to approve the claims and payroll and Ms. Smith **SECONDED**.

Mrs. Williams, Mr. Dufficy, Ms. Smith, Mr. Taylor, and Mr. Zimmerman voted **FOR**. Mr. Beach was absent.

**MOTION PASSED.**

## **Unfinished Business:**

### **City of Libby Wildlife Management Plan - Deer.**

Mayor Teske read over the plan and opened it up for public discussion to which none was offered.

Councilor Smith requested that the Council first go over the Chief of Police's concerns. Mayor Teske read an e-mail from Chief Kessel stating where there were objections in the plan. Councilor Taylor made corrections to the verbiage in the plan which alleviated the problem. Chief Kessel explained that the Libby PD is happy to assist in the plan warning that dispatch calls are designated for Libby PD or FWP and he could only report on the Police calls.

Mayor Teske stated that dispatch codes all calls adding that the codes are limited. Councilor Smith asked how many calls Libby PD receives, and Chief Kessel answered 3 or 4 a week. After discussion between Councilor Smith and Chief Kessel, it was decided that Libby PD would give a monthly report to the Council on calls for the plan omitting the FWP numbers as Mr. Taylor stated that FWP will fulfill that portion.

Mayor Teske and the Council went through the Plan identifying problems in the format and verbiage that Mr. Taylor stated would be cleaned up. Discussion was had to whether the Plan would be an Ordinance or a Resolution which Mr. Chisholm confirmed it could be either settling on sending Mr. Chisholm the cleaned up document for further research.

### **Interview and Appoint a member to the Board of Health. (Tabled)**

Mayor Teske stated that the Board of Health was still on the Agenda so that it is not lost. Councilor Smith asked Mrs. Kathi Hooper, Health Department, if there was any more information on the Board that could be provided.

Mrs. Hooper, 1031 Louisiana Ave., explained to the Council that normally, by MCA rules, the Board meets quarterly but due to COVID 19 it has been meeting monthly. Usually, the Board completes variances and deals with issues such as septic and excessive dust issues adding that the Board is lacking a connection to the Educational or Mental Health arenas.

Councilor Taylor suggested that the new Board member be a Council member as Mayor Teske stated it had been in the past. A discussion commenced between Mayor Teske, Councilor Smith, and Councilor Zimmerman as to the merits and benefits of having a Councilor on the Board just as the County Commissioners have a Commissioner on the Board. Councilor Williams added to the discussion and it was decided that the Council would wait until the application process was completed to decide on which way to best proceed.

Mayor Teske stated that businessmen had been contacted with none wanting to take the three hour meetings with the heightened tension between the public and the Board. The entire Council agreed to call people that are believed to be a good fit for the Board.

## **IP Negotiations.**

Mayor Teske asked the Council if there were any questions on the Confidential e-mail that was sent out stating that Mr. Payne could give a brief if warranted adding that this seems to be a typical negotiation with all the fighting over such trivial items such as the history of the settlement.

## **Approve location for vault toilet at the Cross-Country Ski Course. (Tabled)**

Mayor Teske noticed that Mr. Scott had left prior to giving an update on the Agenda item. Mr. Teske informed the Council that Mr. Fraser had been in contact with Mr. Scott and hopefully soon the matter would be resolved.

Mayor Teske stated agreement with Mr. Scott's frustration but added that the process comes in two parts with the assessment and the enforcement of the assessment because the City has unique and specific control and authority on the City's property. Councilor Smith agreed but did not want to overlook concerns over the entire watershed to which Councilor Zimmerman agreed, especially if it effects the water.

Councilor Williams informed the Council that Ms. Kline welcomes and desires comments from the Council and public to which Mayor Teske encouraged everyone to reach out to her. Mrs. Williams stated that Ms. Kline had answered Mr. Scott's questions although not to his satisfaction. Mr. Zimmerman stated that Rural Water is now working the watershed issues which means the City does not have to pay for it but added the process will take longer under State control. The Council decided to contact Ms. Kline to ensure future communication will be sent to the entire Council.

## **General Comments from Council:**

Mr. Zimmerman offered that the Council be forward thinking as it pertains to the sale of the Golf Course land and the City loan repayment asking if the negotiations would be closed to the public. Mayor Teske stated the contract would have to be investigated as the City is not involved except for the first half of the sale price up to 1.54 Million dollars. Mr. Chisholm was unsure of a "due on sale clause" adding that the City would cover any lower offers as a prelitigation issue.

Mayor Teske questioned If the City would have any leverage to which Mr. Chisholm answered the City has leverage. Councilor Smith questioned if the Club would be stuck with the sum and Councilor Dufficy questioned if the City would get the funds in 4 or 5 years to which the Mayor answered that the Club could pay in 100 years via the poorly written contract.

Councilor Smith proudly stated that her personal residence has a vacation rental that has received the first license application to be listed as a tourist home Air BNB through the County Health Department. Councilor Dufficy was informed that the County issues the license as the City does not have a Health Department.

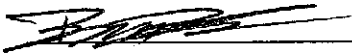
**Adjournment:**

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

Mrs. Williams, Mr. Dufficy, Ms. Smith, Mr. Taylor, and Mr. Zimmerman voted **FOR**. Mr. Beach was absent.

**MOTION PASSED.**

Meeting adjourned at 8:23 pm.



Mayor Brent Teske

Attest;



Clerk/Treasurer Samuel Sikes