

APPROVED MINUTES

The City Council held meeting #1565 on Monday, March 15, 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, Ms. Williams, Mr. Beach, Mr. Dufficy, Ms. Smith, Mr. Taylor, Mr. Zimmerman, City Administrator Mr. Hammons, and City Clerk/Treasurer Mr. Sikes.

Mayor Teske welcomed all, prayer was offered by Marcus Girod.

Approve City Council Meeting Minutes for #1564 dated 1 March 2021. Councilor Smith **MADE A MOTION** to approve with minor corrections, and Councilor Zimmerman **SECONDED**.

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

MOTION PASSED.

Announcements:

Councilor Smith wished everyone a Happy St. Patrick's Day.

Committee Reports:

City Administrator's Report: Mr. Hammons reported that with the weather being so nice, the City crew was patching potholes. Mr. Hammons was excited to let Council know that the City had received the vacuum truck and that the City Crew was getting lessons and training on it today. Mayor Teske mentioned that it was indeed a good looking truck.

Councilor Williams asked how the Planning Grant for the Growth Policy was going with the due date being the first of March. Mr. Hammons informed the Council that out of the four requests that were sent only one was returned, thus cutting down the options for who will be hired to complete the project.

Fire: None.

Police: None.

Resolution/Ordinances: None.

Lights/Streets/Sidewalks: None

Building: None.

Water/Sewer: None.

Zoning Commission: Councilor Smith reported that the next Zoning Meeting would be on the 29th of March at 6 pm in the City Council Chambers of City Hall.

Cemetery/Parks: None.

Finance: Mr. Sikes reported that the Insurance Policies for the City were being renewed including Environmental Coverage that is updated every three years.

KRDC: None.

City-County Board of Health: Mayor Teske reported that the City had received four more applications. Interviews and appointment would occur later in the meeting.

Park District Manager: None.

Public Comment on Non- Agenda Items:

Mr. George Mercer, 406 Willow Rd., treasurer for the Cabinet View Country Club, reported to the Council concerning the \$1.54 Million dollar loan the City made from the Economic Development Fund to the Club for the construction of the back 9 holes in November of 2004. Mr. Mercer explained that the original agreement was to repay the Fund with the half of the money raised from the sale of lots around the course up to 1.54 Million dollars.

Mr. Mercer, apologizing for the late notice, reported that an offer was received from reliable source and was here today to offer the City \$878,875 to be paid at closing as payment in full, and asked for loan forgiveness of \$662,125 owed to the City. Mayor Teske stated that the best way to make an offer is to be scheduled for the next Council Meeting and Councilor Smith informed Mr. Mercer that the City would be seeking advice from the City Attorney.

Councilor Beach asked how fast the City needed to answer. Mr. Mercer answered that the Club has been trying to sell the property for 21 years adding that the Club would not be speaking today if the offer were not the best option. The point was made that a similar offer was made years ago that slipped away which not been beneficial to either party. Mayor Teske asked if the offer could wait until the 5th of April or if it had to be answered now.

Mr. Chisholm gave advice that the City needed to receive a written proposal that could be looked at for the next couple days to figure the bonafidies of the buyer adding that it would take no more than two weeks to determine the worthiness of the offer once the buy-sell was received. Mayor Teske asked Mr. Mercer if the paperwork could be received by close of business tomorrow to which Mr. Mercer answered yes.

Councilor Smith questioned why the City had to make the decision right now instead of waiting until after the property was sold. Mr. Mercer answered that the contract had become a failed endeavor years ago adding that the Club would only move forward contingent on the agreement between Libby and the Club.

Mr. Chisholm informed the Council that the agreement is a lien on the property that the buyer would want extinguished prior to the purchase adding that the City is a party to the negotiations. Mayor Teske requested that Mr. Mercer get the information to the City. Mr. Mercer agreed adding that a special meeting was requested if possible, as to not let this deal slip by.

New Business:

Approve KPFL request to waive Ponderosa Room fee for annual fundraiser.

KPFL requested a fee waiver for the Ponderosa Room explaining that the waiver is an annual item that has been approved in the past.

Mrs. Eileen Carney, 2233 Farm to Market Road, explained to the Council the workings and benefits of KPFL to the community adding that last year the fund raiser was cancelled due to COVID-19.

Councilor Dufficy **MADE A MOTION** to waive the rental fee for KPFL and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Approve Resolution 1976 – Approve Budget Amendment for CARES/COVID reimbursement.

Mayor Teske read the Resolution and explained that the funds were already received. The Resolution was required to clean up the books.

Councilor Beach **MADE A MOTION** to approve the Resolution and Ms. Williams **SECONDED**.

Mr. DC Orr, 1117 Nevada Avenue, asked where the money came from commenting that the money was not earned. Mr. Sikes fielded the question by informing the Council and public that the funds were a reimbursement for Law Enforcement and Fire Protection wages and contributions. The funds were received as reimbursement from 12 March 2020 through 30 October 2020 and had to be accounted for in the fiscal year to which it was reimbursed.

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

MOTION PASSED.

Approve Resolution 1977 – Approve establishment of Capital Improvements Projects Fund.

Mayor Teske read the Resolution explaining that it was beginning of a larger financial plan to withhold revenue for future capital expenditures.

Councilor Beach **MADE A MOTION** to approve the Resolution and Ms. Smith **SECONDED**.

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

MOTION PASSED.

Approve Resolution 1978 – Approve Elected Officials into Employee Benefits Program.

Mayor Teske read the Resolution explaining that it was discussed in 2004 but not been completed adding that Mr. Sikes found the discrepancy while doing “housekeeping.”

Councilor Smith **MADE A MOTION** to approve the Resolution and Mr. Zimmerman **SECONDED**.

Councilor Dufficy asked Mr. Sikes if Councilors had to opt in or out and who paid for the coverage. Mr. Sikes answered that Councilors were authorized to opt in having to pay 100% of the costs for any coverage they requested.

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

MOTION PASSED.

Unfinished Business:

City of Libby Wildlife Management Plan - Deer.

Mayor Teske explained that the Council had gone through the plan last meeting adding that Councilor Taylor and Mr. Sikes had made the requested changes to clean the Plan up.

Mr. Chisholm added that the integrated changes still needed to be looked at in order to label the plan as a Resolution, Ordinance, or Plan. Mr. Chisholm requested more time to which Mayor Teske, hearing no objections, continued the tabled status. Mr. Chisholm asked Councilor Taylor who to communicate with at the FWP to which Mr. Taylor answered Mr. Neil Anderson from the Flathead or Tanya adding that the contact information would be forwarded. Councilor Taylor then informed the Council that FWP was not going to move forward with the Turkey Management Plan until a new officer was hired.

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

Mayor Teske stated that four additional applications had been received for the Board of Health position.

Ann German, Melissa Berke, Amy Fantozzi, Tracy McNew, Ken Crandell, Matthew Backen, and DC Orr were brought from the Mayor’s office individually where each candidate explained their qualifications and why they were interested in being on the Board. The Councilors asked questions about each candidate’s qualifications, experience, and thoughts towards the position and actions of the Board of Health.

Mayor Teske opened the meeting to the public asking that anyone wishing to be heard to approach the mic giving their name, address and who they were for or against.

Katrina Newton, outside City limits, explained that the people want more diversity such as from a business owner adding that the Board can broaden it’s horizons by not adding any more Team 56 members or lawyers who will not support Trump supporters throwing support to Mr. Ken Crandell first and Mr. DC Orr second.

Toni-Lynn Backen, 809 Dakota Ave., expressed her support for Matthew Backen stating the importance of younger generations becoming involved.

Jan Ivers, 99 Indian Head, stated her appreciation of such a good pool of candidates adding that the by-laws of the Board expresses preference for health care professionals.

Wheatly Ryan, 1309 Washington, stated that the interviews had swayed his opinion from the letter that was previously submitted. A challenge was issued to the Council to hear the undertones of the citizens voice due to underrepresentation causing anger.

Marcus Girod, 1620 Swede Mtn. Rd., stated that he was a roofer who wanted the Board to believe in freedom of speech and choice. The belief was shared that if all Board members have a medical background that the backbone of the community, the working class, would not be considered adding that small checks, due to the shutdown, just don't cut it.

Joe Coblenz, 38 Jehovah Dr., stated that he was a hardworking man who wants freedom and liberty and agrees with Marcus Girod, also expressing that when the people hear Dr. Black's name their guards go up.

Jim Newton, out of City limits, expressed his support for Ken Crandell or DC Orr due to DC's knowledge. With experience in the Gulf War and 18 years in Law Enforcement it was Mr. Newton's belief that the Board was too reliant on medical personnel and needed to put in a business owner.

Abigal Coblenz, 38 Jehovah Dr., believed that the Board decisions effected the whole County offering the opinion that a lawyer was not wanted on the Board. Mrs. Crismore's resignation was mentioned as it requested a replacement without medical background to create diversity with someone like a business owner. Abigale's support went to Ken Crandell or DC Orr.

Mayor Teske mentioned that a common theme kept coming up that was concerning. Mr. Teske made it clear the Health Board appointment effected the whole County and expressed desire to hear from everyone whether they lived in the City or not.

Rachel Coblenz, 38 Jehovah Dr., was grateful to God for not seeing a Doctor in 28 years but believed that the Board of Health needed a business owner supporting Ken Crandell or DC Orr.

Mayor Teske opened the floor for nominations. Councilor Smith stated that she appreciated all the comments and applications submitted to the Council adding that she, herself, was a business owner continuing to state that COVID-19 negatively affected businesses not the Board of Health. Ms. Smith mentioned that science is used to make well informed decisions adding that the Board would not be as effective without the member having medical or legal background asking the citizens to read the Board of Health mission statement. Councilor Smith expressed frustration with the citizens for being so negative and for attacking the candidates.

Councilor Smith nominated Ann German.

Councilor Williams nominated Tracy McNew.

Councilor Dufficy nominated DC Orr.

Councilor Smith nominated Amy Fantozzi. Councilor Williams stated that the rules allow for a Councilor to only nominate as many names as positions that are open, and the second nomination was withdrawn.

Councilor Zimmerman nominated Ken Crandell.

Councilor Beach nominated Amy Fantozzi.

Nominations were closed.

Mayor Teske opened the voting by informing the Council that each Council member had to vote either up or down on each nominee.

Ann German. Councilors Taylor, Williams, and Smith voted **FOR**. Councilors Zimmerman, Beach, and Dufficy voted **OPPOSED**. 3 - 3

Tracy McNew. Councilors Williams, Smith, and Beach voted **FOR**. Councilors Zimmerman, Taylor, and Dufficy voted **OPPOSED**. 3 - 3

DC Orr. Councilors Taylor and Dufficy voted **FOR**. Councilors Zimmerman, Beach, and Williams and Smith voted **OPPOSED**. 2 - 4

Ken Crandell. Councilors Taylor, Beach, Zimmerman, and Dufficy voted **FOR**. Councilors Williams and Smith voted **OPPOSED**. 4 - 2

Amy Fantozzi. Councilors Beach, Zimmerman, Taylor, Williams, and Smith voted **FOR**. Councilor Dufficy voted **OPPOSED**. 5 - 1

Mayor Teske closed the voting declaring Amy Fantozzi the newly appointed member of the Board of Health requiring that a monthly report be the bare minimum requirement for the position. Mayor Teske and Councilor Smith thanked everyone for coming.

IP Negotiations.

Mayor Teske had not heard from Mr. Payne concerning the reply to IP's non-reply.

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

Mayor Teske reported progress was stalled with Dr. Scott and the engineer.

General Comments from Council:

Mayor Teske was livid over the damage caused to the grass and headstones in the cemetery by city employees. Mr. Teske went on to explain that the smaller backhoe had broken down and the mats, designed to spread the weight of a tractor, were not used when a grave was dug during the COVID shutdown. It was explained that the issue was being dealt with internal discipline. The Mayor formally apologized to all the citizens for the disrespectful actions.

Councilor Smith agreed asking if the person in charge was in trouble to which the Mayor responded that in the future there will be more spot checking and expressed frustration that the damage was not reported when it occurred.

Councilor Beach stated that the damage was extensive rutting and Mayor Teske stated that excuses are not tolerated and that things could have been done better adding that the Council should go look at the damage. Councilor Beach asked about the equipment, the Mayor stated that the City was currently looking at a new tractor better suited to the job.

Adjournment:

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

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


MOTION PASSED.

Meeting adjourned at 8:43 pm.



Mayor Brent Teske

Attest; _____



Clerk/Treasurer Samuel Sikes