

CITY OF LIBBY

952 E. SPRUCE | POST OFFICE BOX 1428

| PHONE 406-293-2731 | FAX 406-293-4090 | WEBSITE: www.cityoflibby.com

REGULAR COUNCIL MEETING #1578

JULY 19, 2021 @ 7:00PM

COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Roll Call
- Welcome
- Prayer offered by Lloyd Miller.
- Approve Minutes for Public Meeting dated 21 June 2021, #1575 dated 21 June 2021, and #1577 dated 6 July 2021.

ANNOUNCEMENTS:

COMMITTEE REPORTS:

- City Administrators Report
- Fire
- Police
- Ordinances
- Lights/Streets/Sidewalks
- Building
- Water/Sewer
- Zoning Commission
- Cemetery/Parks
- Finance
- KRDC
- City-County Board of Health
- Park District Manager of Projects

PUBLIC COMMENT ON NON-AGENDA ITEMS:

This is an opportunity for the public to offer comments related to issues that are not currently on the agenda that the council has jurisdiction over. Public comment is limited to 3 minutes.

NEW BUSINESS: Each new agenda item will be introduced by the mayor (or assigned liaison) with a description of the item and explanation for the recommended action. Following council discussion on each item will be an opportunity for public comment prior to any action taken. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

1. Approve Riverfront Blues Festival noise variance for 14 August 2021.
2. Approve Recommendations from Parks' Committee on U-Serve Financial Request.
3. Adopt Resolution 1985 – Source Water Protection Plan for Libby public water supply.
4. Adopt Resolution 1986 – Stage 2 Fire Restrictions.
5. Approve all business licenses received to date.
 - a. Affordable Excellence. 1280 Haul Road, Individual, Handyman and Construction.
 - b. Jacob O'Bleness, 1020 Main, Individual, Janitorial services.
 - c. Rick's Total Tree Service & More, 417 Pioneer, LLC, Tree Services.
 - d. Teti Yard Works, 80 Conifer, LLC, Lawn and landscaping services.

UNFINISHED BUSINESS:

1. IP negotiations.
2. Approve location for vault toilet at the Cross-Country Ski Course. (Tabled)
3. Approve mitigation construction on Flower Creek Dam spoils pile. (Tabled)

GENERAL COMMENTS FROM COUNCIL:

ADJOURNMENT:

Notes:

The manner of Addressing Council:

- Each person, not a Council member shall address the Council, at the time designated in the agenda or as directed by the Council, by stepping to the podium or microphone, giving that person's name and address in an audible tone of voice for the record, unless further time is granted by the Council, shall limit the address to the Council to three minutes.
- All remarks shall be addressed to the Council as a body and not to any member of the Council or Staff with no personal remarks allowed.
- No person, other than the Council and the person having the floor, shall be permitted to enter any discussion either directly or through a member of the Council, without the permission of the Presiding Officer.
- Any person making personal, impertinent, or slanderous remarks or who shall become boisterous or disruptive during the council meeting shall be forthwith barred from further presentation to the council by the presiding officer unless permission to continue by granted by a majority vote of the council.

ATTENTION:

To access this meeting electronically with ZOOM,

Dial: 253-215-8782

Meeting ID: 4042719951

Password: 151041

Posted: 07/15/21

UNAPPROVED MINUTES

The City Council held a Public Meeting Monday, June 21st, 2021, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 6:00 pm by Mayor Brent Teske.

The Pledge of Allegiance was completed, and Roll Call commenced. Present were Mayor Teske, Councilors Williams, Beach, Dufficy, Smith, Taylor, and Zimmerman.

Mayor Teske welcomed all and explained this was the fourth, and last, year of the required transparency in municipal government training and classes.

Councilor Williams presented a slideshow covering programs provided in the past three years and changes made in the last three years to improve public access and city transparency. Information was given on Montana Law and Code as to what information could be requested and how to properly request information including Freedom of Information Act requests.

Councilor Williams offered general information on Libby Municipal Elections including requirements for office. Montana law and codes were explained for the Mayor and Councilors candidates. Registration and ID voting laws legislative changes were introduced.

Council Comment:

Mayor Teske asked the Council if there were any questions or comments on the presentation. No comments were offered.

Public Comment:

Mayor Teske asked if anyone had public comments on the presentation that was offered.

Mitch Walters, Troy MT, representing the John Birch Society, commended the Council for the transparency actions and for being accountable.

Ted Montgomery, 491 Cabinet Heights, requested to know whose job it is to complete the minutes and post them online as they have been months slow in getting finished.

Mayor Teske and Councilor Williams pointed out that, under Clerk/Treasurer Sikes, the minutes have been being completed quicker than ever. It was pointed out the last portion of the website to be updated is the calendar due to the responsibility being lost in various turnovers. Councilor Taylor, checking on a smart phone, informed everyone the website minutes were current and up to date.

Jennifer Nelson, 1026 Washington, thanked the Council for the updated transparency prior to expressing there are legitimate concerns that will require the City Attorneys involvement. Pamphlets were handed out covering several Montana Code Annotated (MCA) areas.

First, Jennifer spoke to MCA 7-1-4123 – Legislative Powers, stating the City's role in economic development was not effective or simple adding that economic development powers should not come from the Council as they must vote to approve them.

Covering MCA 7-5-4101 – General Powers of Municipal Council and MCA 7-1-4142 – Public Participation, Jennifer pointed out that, for proper public participation for such a significant public interest, all facts should be laid out for the public to see.

For MCA 7-1-4131 – Public Hearing, Jennifer questioned how the Kootenai River Development Council (KRDC) had become a sub-committee on the City Council Agenda. The KRDC is not a city organization and 2 members of the KRDC are currently serving on the City Council, referring to Councilors Zimmerman and Smith. MCA 2-2-121(5) (b) was read, and Jennifer voiced the opinion that members were in conflict-of-interest and attempting to influence the City Council votes as to the favor of the KRDC. It was pointed out that the 2 members had not abstained from any votes concerning the KRDC.

Jennifer next read Section 3 Part 1 of the Libby municipal Code to point out that in a small town everyone had to keep "their hats straight" because many will have dual roles in multiple areas pointing out that the Council is here to support Libby and not organizations. As the KRDC is always pushing for money from the city at the last possible minute, the Council has to remember that it is the City's, meaning the taxpayers, money and should be spent in the city limits.

Referring to MCA 7-8-4201 – Disposal of Property, Jennifer stated that to sell city property it takes an Ordinance or Resolution passed by 2/3rds of the Council and must be approved by a vote of the electors and not the elected. It was pointed out that this code has been disregarded in the past by the Council in the leases with the Chamber of Commerce and the Flower Creek Recreation Area. City property must have input by the people by a vote.

Jennifer's final point was that, now that the Council knows the law, it must act accordingly.

Mayor Teske stated that the KRDC became a sub-committee to help deal with Economic Development Grants. Jennifer stated it became a sub-committee in the fall of 2016.

Councilor Zimmerman said that KRDC is on the agenda because the City and KRDC have worked together so many times as a whole community effort. Mayor Teske stated that the KRDC is on the agenda for informational purposes only.

Jennifer Nelson gave the opinion that the Council substantiated the KRDC by placing it on the agenda adding that KRDC members of the Council should not vote on KRDC matters.

Mayor Teske stated that Dean Chisholm would have to get involved in some of the matters raised to find out if conflict-of-interest issues are present. If there is a conflict, the city will agree.

Dean Chisholm, City Attorney, stated that time was needed to thoroughly research the issues, but added that experience has taught it is not uncommon to give sub-committee status to groups.

Mayor Teske asked Dean Chisholm to investigate MCA 7-8-4201 concerning leases with the city to ensure everything is lawful. The mayor went over a laundry list of leases with the city.

Councilor Zimmerman explained to the Council that since the KRDC works a lot with the city, being on the agenda means transparency. Mayor Teske stated the law will be followed as written and will be researched by the City Attorney.

Councilor Zimmerman, speaking to the public comments, stated all information for the next meetings are posted the Thursday prior to the meeting which gives plenty of time for the public to research any issues, then asked for any ideas on how to fix the time issue.

Jennifer Nelson stated there is a policy issue suggesting the Council place a topic on the agenda for a meeting for discussion and then wait until the next meeting to hear public comments and vote on the topic.

Adjournment:

Mayor Teske closed the meeting at 6:45 pm.

Mayor Brent Teske

Attest; _____
Clerk/Treasurer Samuel Sikes

UNAPPROVED MINUTES

The City Council held meeting #1575 Monday, June 21st, 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, Councilors Williams, Beach, Dufficy, Smith, Taylor, Zimmerman, and City Clerk/Treasurer Samuel Sikes.

Mayor Teske welcomed all present and prayer was offered by Joseph Miller.

Approve City Council Meeting Minutes for #1574 dated 7 June 2021. Councilor Zimmerman **MADE A MOTION** to approve, and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Announcements:

Mayor Teske read over City Code 9.32.030 to ensure the public knew the Ordinance on fireworks and announced that the CVGC had paid back the entire loan of \$1,541,000.25.

Committee Reports:

City Administrator's Report: Jim Hammons left reports with Councilors Zimmerman and Beach.

Resolution/Ordinances: None.

Lights/Streets/Sidewalks: Councilor Beach reported that city crews were using the asphalt zipper to prepare roughly 20 to 25 blocks for repaving with 10th to Nevada being the largest area and asked the citizens to be patient and careful in the area due to exceedingly high crests in the roads.

Mayor Teske reiterated caution to the public during the process explaining that the preparation takes most of the time while laying the asphalt is a relatively quick process.

Building: None.

Water/Sewer: Councilor Zimmerman reported that the Fire Department had finished flushing the hydrants which caused several leaks, with a large leak being located at 3rd and Louisiana. Noble Excavation is now working on pipe bursting the old main between Hamann Ave. and the Two-bit RV Park prior to going under the highway to connect at Education Way. The whole project should be completed in August.

Zoning Commission: Councilor Smith reported that the next Zoning Meeting would be on the 12th of July at 6 pm in the City Council Chambers of City Hall to continue working on residential zoning including lighting and signage. The rezoning of the CVGC area will be added to the Code.

Cemetery/Parks: None.

Finance: Samuel Sikes reported that the city has received the first half of the American Recover Plan Act (ARPA) money amounting to \$354,932.94 and that the second half would be deposited within 12 months. No further details could be added as the State explained that “the plane is being built while in flight.” The biggest issue is the definition of “infrastructure”.

KRDC: None.

City-County Board of Health: None.

Park District Manager: None.

Public Comment on Non- Agenda Items:

None.

New Business:

Approve Road Closure – Chainsaw carving, Troy Douthit, 8-13 September, Mineral and 2nd.

Mayor Teske read the request and introduced Troy to explain the variance request. The closure would be the same as last year with a minimal change, adding that the business owners affected had been contacted and a pass through would be maintained for emergency vehicles and business owners. Requested was a variance on the open container code for two days during the event.

Councilor Beach inquired how many competitors were participating and Councilor Dufficy asked how many carvers were entered last year. Tony explained that there are 22 entrants with 10 in back-up for this year whereas last year had 20 carvers including those from foreign countries.

Councilor Zimmerman **MADE A MOTION** to approve the road closures and alcohol variance as requested and Councilor Williams **SECONDED**.

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

MOTION PASSED.

Approve Road Closure – Crazy Days, Gail Burger, 28 August, Sears to the Pastime.

Mayor Teske read the request and introduced Gail who explained that the closure would require utilizing the City's barriers that would be moved after the event adding that insurance would be purchased.

Councilor Zimmerman **MADE A MOTION** to approve the road closure as requested and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Approve Road Closure –Gail Burger, Halloween, Mineral Ave.

Mayor Teske read the request and introduced Gail who explained that last year a child was almost struck by a vehicle prompting the public to desire closing Mineral Ave. from 3:30 to 6:30 on Halloween to allow for trick-or-treating of local businesses and groups setting up tables. Gail requested that the insurance requirement be waved due to the cost and because there is no official leader for the event that was started by Managhan's Furniture.

Councilor Smith asked if the businesses would be open on a Sunday and Gail answered that the local owners contacted were opening for the occasion adding that members will be standing by to move the barriers for emergency vehicles if required.

Councilor Dufficy asked why insurance would not be provided and Gail informed that Council that it was due to the cost and this being the first year of the closure to see how it goes.

Councilor Dufficy **MADE A MOTION** to table the request so the City Attorney could be consulted.

Mayor Teske agreed to the motion taking the lead on looking into the matter and directed the Clerk/Treasurer to make note and table the request.

REQUEST TABLED.

Approve construction of parking lot at Flower Creek recreation area.

Mayor Teske read an email from Tony Petrusha and Mike Fraser describing the area and work to be completed prior to introducing Tony to explain the request.

Tony Petrusha, 559 Florence, stated that the development of a parking lot, where currently the spoils pile from the dam construction is located, would help mitigate the issue of debris running into the water flowing into the Water Treatment Plant. The county is now completing work in the area and is willing to complete in-kind work with the spoils pile only for a short period after which the cost would fall onto the city. Under the proposed plan the spoils pile would be spread out to three feet thick with any concrete remnants being used to armor the slope to further mitigate the dirty runoff.

Councilor Dufficy questioned the current runoff during heavy rains with the current drainage and if the city is responsible. Tony Petruscha stated that the runoff is currently uncontrolled flowing to the north and west through a narrow vegetation zone which could be shifted to the east where the vegetation is wider adding that the City will have to mitigate the issue sooner or later. The concrete in the pile will be used for vehicle restraints and the slope will be altered to a 1 – 3 % to the northern sediment fence that is already in place.

Councilor Zimmerman **MADE A MOTION** to approve the construction of a parking lot by the County crew and Councilor Beach **SECONDED**.

Councilor Taylor requested to hear from Kenneth Rayome who works at the Libby Water Treatment Plant.

Kenneth Rayome, 1314 Dakota, professed speaking for Jeff Haugen and Robert Salter, disagreed with any development in the watershed. Any development in the watershed must be proven prior to completion and the spoils pile is not a threat to Libby's water. There has been noticeable changes to the water clarity since the construction of the cross country ski area adding that it would be too risky to change the spoils pile.

Councilor Zimmerman asked if the logging above in the watershed contributed to pollutants in the water system to which Rayome answered that it was better to log than to have a fire in the area, feeling that the risk of logging was worth it. Rayome added that there is not a specific plan from Fraser, the engineer, to properly handle the spoils pile to decrease organics in the water system as the water treatment plant is currently using 15 to 20 lbs. of chlorine a day.

Councilor Zimmerman again asked Rayome to answer the question of logging to which Rayome stated that the new work would be right above the reservoir.

Councilor Smith asked if calculations had been made by Fraser, the City Engineer. Discussion was held between Mayor Teske and Councilor Williams as the engineering report was completed for the County's benefit and not for the safety of Libby's water.

Councilor Beach asked Kenny Rayome if he was qualified to speak on the engineering of the spoils pile to which Rayome answered that he was not. Councilor Beach explained he had previous certifications and the spoils pile was already releasing material into the water system and explained how it could be fixed by new slopes, armoring the outer edge, and planting grasses. Rayome admitted the only problem he had was the area was going to become a parking lot.

Councilor Taylor read a letter from Mike Fraser stating that there should be a master plan and not always having groups stating that work is needed, "now." Discussion was held between the Councilors' and Mayor that spoke to the SWP as the master plan. The spoils pile remediation is part of that plan. The issue was if the City wanted to jump on the remediation of the pile quickly as the County was already in the area working and would simply complete the work and save the City money.

Discussion continued that the County would only be in the area working for one more week, so a decision had to be made and that either way the pile had to be remediated.

Ken Rayome, 1314 Dakota, stated understanding with the financial responsibility but did not want the area to be a parking lot opting for a better plan that includes no recreation in the watershed.

Jennifer Nelson, 1026 Washington, expressed the desire to protect the watershed adding the SWP had to work with stakeholders and the public should be part of the discussion. Nelson inserted the belief that everything with the cross-country course was a ploy to simply push through work not wanted by the public adding, with no other water source, the area must be protected.

Ted Montgomery, 491 Cabinet Heights, asked where the Environmental Impact Statement (EIS) was. Mayor Teske explained that the SWP was the EIS and the permit is being processed by Jake Mertes adding that the road work is a separate item. Councilor Beach added the road work was for the USFS. Ken Rayome added that the road work did not affect the water.

Dr. Ben Scott, 252 Woodland Heights, spoke to the tonnage in the spoils pile and the logging above the reservoir adding that the pile was a small piece that needed mitigated.

Councilor Dufficy read an email dated 26 October 2020 from Mike Fraser that spoke of the dangers of the pile in the area for the future. Councilor Beach pointed out that there will be less leaching if the pile is properly mitigated with leveling and planting.

Councilor Dufficy **MADE A MOTION** to table the approving of the construction of a parking lot at Flower Creek recreation area.

Mayor Teske stated that the window to have the County complete the work will be gone. Councilor Williams reiterated that there was a motion on the table.

Councilor Zimmerman stated that the letter Councilor Duffy read was old and outdated with all the work that has been completed. Mayor Teske and Councilor Zimmerman discussed how the SWP addressed all the concerns about the area.

Councilor Zimmerman stated that the motion on the table was not going to be amended.

Jennifer Nelson stated the SWP is only a framework and the whole plan should go through the entire process. Jennifer added the plan is being pushed from the rear and needed more discussion as all previous plans had been disregarded.

Councilor Smith asked what the cost would be to the City. Discussion was held between Mayor Teske, Councilor Taylor, and Dr. Ben Scott concluding the cost would be roughly \$30-40k.

Jennifer Nelson stated that, due to Dr. Ben Scott, the City and County had been hit twice without the public having a say adding the watershed had been deeded to the city in 1980 for protection.

Ted Montgomery wanted what was best for the environment adding that the city was “a hypocrite” for using a large loader to pick up leaves in the fall but not using the same to fix the spoils pile.

Councilors Williams, Beach, Dufficy, Smith, and Taylor voted **AGAINST**. Councilor Zimmerman voted **FOR**.

MOTION FAILED.

Adopt Resolution 1983 – Annexation of Property for American Covenant Senior Housing.

Mayor Teske read over the Resolution adding that, agreeable to the MCA, a public hearing was not required as this is a single owner who is requesting annexation.

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

Councilor Taylor asked if the area was on Education Way and Councilor Smith asked if services were available to which Mayor Teske answered yes to both.

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

MOTION PASSED.

Approve CBA Local 3034 for 4 July 2021 to 30 June 2023.

Mayor Teske explained the basic changes in the CBA which were cash-in-lieu of medical coverage, 2% COLA raise, and a grade promotion for the Deputy Clerks.

Councilor Smith **MADE A MOTION** to approve the CBA and Councilor Dufficy **SECONDED**.

Mayor Teske and Ken Rayome applauded the negotiation efforts without the use of lawyers this year. Councilor Williams spoke to the stiff lawyer fees and Mayor Teske stated lawyers were not worth it.

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

MOTION PASSED.

Approve Growth Policy Contract with Land Solutions, LLC.

Mayor Teske read over the contract and Dean Chisholm expressed no legal issues with the contract as Jim Hammons had answered all previous questions.

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

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

MOTION PASSED.

Approve all business licenses received to date.

Mayor Teske read through the application for Lasting Beauty and Darios.

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

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

MOTION PASSED.

Unfinished Business:

IP negotiations.

Mayor Teske reported meeting with Alan Payne to go over the numbers and strategy and will discuss with Councilors' Taylor, Smith, and City Administrator Jim Hammons.

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

Mayor Teske reported that the plans for the toilet were still on an engineer's desk.

General Comments from Council:

Councilor Zimmerman went back to the motion to table the parking lot construction at Flower Creek wondering if it could be brought up later. Councilor Smith asked if there could be another meeting to discuss the matter later. Mayor Teske responded that a decision had to be made by Wednesday the 23rd for the mitigation to happen.

Discussion was held as to the area being designed as a field instead of a parking lot or just reducing the slope of the pile while seeding and armoring against runoff. Councilor Smith stated that emotions were compounding the issue.

Mayor Teske called for a Special Meeting to be held at 6:15 pm on the 24th of June 2021 agreeing to have Mike Fraser and Mark McCully from the County in attendance.

Adjournment:

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

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

MOTION PASSED.

Meeting adjourned at 8:24 pm.

Mayor Brent Teske

Attest; _____
Clerk/Treasurer Samuel Sikes

UNAPPROVED MINUTES

The City Council held meeting #1577 Tuesday, July 6th, 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, Councilors Williams, Beach, Dufficy, Smith, Taylor, Zimmerman, and City Clerk/Treasurer Samuel Sikes.

Mayor Teske welcomed all present and prayer was offered by Joseph Miller.

Announcements:

None.

Committee Reports:

City Administrator's Report: None.

Fire: Councilor Zimmerman reported June numbers would be presented at the next meeting and TCI was awarded the bid to start construction on the new concrete apron at the Fire Station so the doors will finally seal.

Police: Chief Kessel, for June of 2021, reported 216 calls for service, 22 arrests, 16 citations, and 17 ordinance violations. For the same period last year there were 254 calls, 13 arrests, 24 citations, and 13 ordinance violations. The increase in calls being attributed to COVID 19 with additional domestic disturbances. Pre-COVID numbers for June of 2019 were 260 calls, 28 arrests, 24 citations, and 13 ordinance violations with 40 of the calls being related to the DUI Taskforce.

Chief Kessel reported that one Officer had just gotten cleared after having COVID 19 adding that 50% of the force has now had COVID. There were no firework complaints, however, officers assisted in extinguishing 2 fires by the Country Inn and Nazarene Church.

Councilor Dufficy asked if the ordinance violations were warnings or tickets to which Chief answered tickets. It was explained that only 1 warning is given for fireworks unless the people are known to be frequent violators.

Ordinances: None.

Lights/Streets/Sidewalks: Councilor Beach reported that the grinding of the asphalt is complete, and the cleanup and curb replacement is underway with paving to start on the 19th of July.

Councilor Beach gave an update on the Libby Water System Improvements from Mike Fraser stating that the portion of the contract dealing with the Highway 2 area is almost completed.

Building: None.

Water/Sewer: Councilor Zimmerman nothing except for what Councilor Beach presented.

Zoning Commission: Councilor Smith reported that the next Zoning Meeting would be on the 12th of July at 6 pm in the City Council Chambers of City Hall to continue working on Residential A.

Cemetery/Parks: Councilor Smith reported a request had been received from U-Serve too late to be included on this agenda but added would be on the next agenda.

Finance: Samuel Sikes reported working on FY-22 budget expenditures and revenue stating the LGS had accepted the city's corrective action plan regarding the recent audit.

Councilor Williams called for a Budget Committee meeting on the 14th of July at noon to be held at City Hall. Councilor Williams reported that the City was now in MCA compliance with the Fire Relief Fund, as it now has 3 years of Reserves on hand.

KRDC: None.

City-County Board of Health: Amy Fantozzi reported the last meeting was on the 8th of June, there is an opening on the Board for anyone concerned. There is currently 1 new COVID case and 6 active cases in the County with vaccinations ongoing. New legislation, HB 121 and 257, will be discussed at the next meeting which is on the 13th of July at 6 pm and the location will be announced.

Park District Manager: Tony Petrusha reported FS 128, the Flower Cr. Road, was punched in and the road mix will be laid soon. The vault toilet for the Flower Cr. Recreation area is being redrafted currently. LIDAR has provided information on a 2" to a 6" contour for the Flower Cr. area. An architect is currently working on the Libby Pool drawings to be completed mid-July and the Pool Committee needs members.

Public Comment on Non- Agenda Items:

Brandon Haugen, 21 Voves Ave. of the Lincoln County Junior Fair, requested 2 patrol cars be available on 16 July at 10 am to escort a parade down Mineral Ave. to the Senior Center with roughly 30 children. It is hoped this will be the beginning of larger parades to come as in the past.

Mayor Teske asked Chief Kessel if the request could be accommodated to which the Chief said it would be done.

New Business:

Cabinet Affordable Housing, LLC. – Inform Council of qualifications for property tax exemptions.

Mayor Teske introduced Gerald Fritts, Kalispell, who explained the annexation from the last meeting was for assisted living (facility), this new development will be for commercial purposes (affordable housing). Gerald introduced Cassidy Kipp to assist in the presentation. It was explained, to fulfill State and Federal rules on tax exemption, this public presentation was required with the offering of public opinion. Montana had already approved the application for the development tax status with the final award being expected in October.

Cassidy Kipp explained the development will offer low income housing and other onsite services such as heat assistance, educational, and financial resources as these factors are necessary for the growth away from low income earnings.

Councilor Dufficy asked how many units would be provided and if the units would be rented or sold. Gerald and Cassidy answered that there would be (10) 2 bedroom units and (14) 1 bedroom units that would be rented.

Councilor Beach asked if the units would be similar to the other low income units in the area. The answer was yes. Copies of a map were handed out showing 13 smaller units within a 4 acre area.

Councilor Dufficy asked whose responsibility the yard work would be, if there were any age requirements, and if the city would receive any property taxes. Gerald and Cassidy answered that lawn care would be completed by a professional. The minimum age allowed to rent would be 21 and the income of the renter had to be less than 50 or 60% of the local area income to meet the eligibility criteria. The city would not receive property taxes, according to State code, as part of the effort to keep the rents to a minimum. State and Federal tax credits will help defer a portion of the rent.

Councilor Williams asked if there was an expected completion date. Developer hopes the project will be completed in March of 2023.

Councilor Smith expressed excitement in the project as there is a huge need for affordable housing within the community for hard working folks and wondered if the public had any questions.

DC Orr, 1117 Nevada, stated that there was a requirement for a public hearing contained in the grant process that this meeting did not fulfill.

Mayor Teske cited MCA 15-6-221 concerning notification and the need for a Public Hearing. The mayor set a public hearing to be held at City Hall on 19 July 2021 at 6:30 pm. Councilor Smith requested that technology be set up for the presentation and Samuel Sikes requested Mr. Fritts send the presentation early to be set up.

Adopt Source Water Protection Plan.

Mayor Teske explained that the SWP was the same document that has been through all the committees and meeting before.

Councilor Dufficy **MADE A MOTION** to adopt the SWP and Councilor Smith **SECONDED**.

Councilor Smith questioned if the plan should be a resolution. All agreed it should, so Mayor Teste ordered that it be set up as a resolution and be placed on the agenda for the 19th of July.

Councilor Dufficy **WITHDREW THE MOTION** to adopt the SWP.

Approve Mitigation construction on Flower Creek Dam spoils pile.

Mayor Teske explained that the spoils pile had to be dealt with sooner or later. The last time it was suggested that the pile be leveled to create a parking lot and now the topic is back on the agenda to look for ideas of exactly how the Council wants to deal with it.

Councilor Dufficy requested to table the whole idea until Mike Fraser, the City Engineer, can be in front of the Council to answer questions.

Councilor Smith agreed to wanting to speak to the engineer and expressed full support in mitigating the problematic spoils pile.

Mayor Teske tabled the discussion and ordered the Clerk to place it on the agenda as such.

Jennifer Nelson verbalized agreement with the tabling and requested to know what the original plan was with the spoils pile. Mayor Teske said the original plan was to make the pile go away and vowed to have Jim Hammons research the issue.

DC Orr stated that there should be a record of negotiation that did away with the requirement to mitigate the pile in the Dam contract. DC went on to speak of the damages caused by losing many of the requirements in the Dam Contract that has created turbidity in the water system. DC questioned why previous flood event damage was not considered to be mitigated at the same time.

Approve Resolution 1984 – Budget Amendment for FY-21 receiving ARPA Grant. (First half)

Mayor Teske read over the Resolution and asked Samuel Sikes to explain. Samuel explained that the Resolution was required as the ARPA funding was not budgeted as expected revenue in the FY-21 budget adding this was the first half and the second half would be accounted for in the upcoming budget.

Councilor Smith **MADE A MOTION** to approve Resolution 1984 and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Approve request for Police radios using ARPA money.

Mayor Teske read over the request from Chief Kessel and a letter of support by Lincoln County Sheriff Darren Short.

Chief Kessel spoke to the request explaining that the current radios are 7 years old and can no longer be feasibly repaired. Additionally, the current radios lose operability when entering buildings such as the Hospital and schools and are not compatible with the radios of sister agencies like the County Sheriff's. This could cause a problem at the time when they are most needed in times of duress or emergencies.

The Councilors questioned the type and cost of the current and requested radios. Chief Kessel explained that 6 new car radios and 6 new Officer radios are requested for a cost of \$73,271. The new radios are a lessor version of those used by the County to save on the costs because trunking capability is not required by the city force. From research by the Mayor and Treasurer, it seems that this is an acceptable disbursement under the ARPA rules.

Councilor Smith **MADE A MOTION** to approve the radio purchase with ARPA funding and Councilor Beach **SECONDED**.

Councilor Dufficy asked Samuel to explain the ARPA funding to which Sikes read excerpts from HB 232 as included in the supporting documents.

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

MOTION PASSED.

Approve payroll increase for Firefighters and Elected Officials.

Clerk/Treasurer Sikes explained that the increase was simply rounding the numbers on the budget spreadsheet and meant to open the conversation of a raise for the salaried personnel. The raise for the Mayor would be \$21.46 a year was one example.

Councilor Williams spoke to the budgeting spreadsheet and Mayor Teske asked the Council to vote on the increase or leave the pay the same. Councilor Williams suggested moving forward on the increase.

Councilor Dufficy **MADE A MOTION** to separate the Firefighters and the Elected Officials and Councilor Smith **SECONDED**.

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

MOTION PASSED.

Approve payroll increase for Elected Officials.

Councilor Smith **MADE A MOTION** to increase the Elected Officials pay and Councilor Williams **SECONDED**.

Councilor Williams stated, and the mayor agreed, that the Elected Officials had not had a raise in over 12 years. Councilor Beach asked Sikes if it would save time to which was answered yes.

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

MOTION PASSED.

Approve payroll increase for Firefighters.

Councilor Smith **MADE A MOTION** to approve the pay increase for the Fire Chief and Assistants, and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Approve Lauer/Wood Lincoln County Rural Fire Department contract 2% COLA Increase.

Mayor Teske read over the contract, such as it is.

Councilor Zimmerman asked if the raise was for the Fire Chief or Fire Marshall to which Sikes answered Marshall.

Councilor Smith **MADE A MOTION** to approve a 2% COLA increase and Councilor Zimmerman **SECONDED**.

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

MOTION PASSED.

Approve 2% COLA and 1% Step increase for Department Heads to match union employees.

Mayor Teske read over the request.

Councilor Smith **MADE A MOTION** to approve a 2% COLA increase and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Approve bid for Propane.

Mayor Teske read over the only bid received, City Service Valcon.

Councilor Dufficy **MADE A MOTION** to approve the bid and Councilor Zimmerman **SECONDED**.

Councilor Beach asked what the rate was last year to which the mayor answered unknown.

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

MOTION PASSED.

Approve bid for Fuel.

Mayor Teske read over the only bid received. (Moore Oil)

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

Councilor Taylor asked who made the bid and the mayor conjectured Moore Oil. Councilor Dufficy requested the name be put to the Council once it is ascertained.

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

MOTION PASSED.

Approve bid for crushed aggregate.

Mayor Teske read over the only bid received, Noble Excavating.

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

Councilor Dufficy stated Noble had bought the competitor.

Brandon Haugen questioned the Council , after 3 instances of only receiving 1 bid, is the city doing enough advertising. Mayor Teske answered that this is a normal occurrence and explained the bidding process.

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

MOTION PASSED.

Approve bid for hot mix asphalt.

Mayor Teske read over the only bid received, Noble Excavating.

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

Councilor Dufficy asked why TCI had not bid and was informed that TCI did not have a plant.

DC Orr requested that the actual cost numbers be read aloud so the mayor backtracked and read over all the prices for the bids.

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

MOTION PASSED.

Approve Girod subdivision.

Jake Mertes read over the subdivision report creating 2 lots from one 4.1 acre parcel that was already zoned as business. Included in the discussion were the 7 criteria required for subdivisions per MCA 76-3-608(3) (A), and Jake recommended approval with 7 conditions that were discussed.

Councilor Smith asked if the easement was purposely drawn at an angle as depicted in the Plat map provided and if lot 1 would have access from the entire west side of the property.

Byron Sanderson, Kootenai Surveyors, explained the easement was from a memo of understanding with Jim Brooks and lot 1 would only have access from one corner of the property. Byron added the driveway will be shared by both lots.

Councilor Beach started to question Libby's standards and Councilor Smith asked that all questions wait for a motion to be made.

Councilor Smith **MADE A MOTION** to amend condition #2 to include the clause "must be approved by the City Engineer and meet Libby Road standards" and Councilor Williams **SECONDED**.

Byron requested that condition #2 be stricken because the standard is only for subdivisions consisting of more than 2 lots. Jim Brooks, owner of Big Sky Lumber, recently erected a fence that will help designate the driveway which consists of 50% compact, 25% asphalt and 25% concrete.

Councilor Beach commented that lot 2 is still sizeable and if it were ever subdivided again everything would have to change. Mayor Teske questioned if the Councilors wanted the city engineer to review the subdivision first and Councilor Smith said no. Councilor Beach was simply worried about the traffic in the area.

Andrew Smith, 543 Hammer Cutoff, informed the Councilors that the business in lot 2 was only expecting 10 employees and roughly 3 trucks a week with an occasional client to be the extent of the traffic. Councilor Smith asked what the proposed business for lot 2 was and Andrew answered that it would be a log rail manufacturer.

Councilor Beach made the comment if you keep the road, you must have dust abatement. Jake Mertes said dust mitigation could be part of the approval. Councilor Smith agreed because of such a long driveway. Councilor Beach suggested using Magna chloride.

Councilor Zimmerman asked, with a new fence going in, if this shut Noble out of the area to which Andrew answered no.

Councilor Smith **WITHDREW THE MOTION**.

Councilor Smith **MADE A MOTION** to change condition 2 to say that the driveway must meet the City standards and that dust mitigation must be maintained in perpetuity and Councilor Beach **SECONDED**.

Jennifer Nelson was concerned about the dust as the property is adjacent to the tennis courts believing that occasional treatment was not enough, and that more was needed.

Andrew asked if there was any way to have a probationary period prior to the motion taking effect to which Councilor Smith said no adding that the city infrastructure affects everyone.

Councilor Williams asked what lot 1 was to be used for and Andrew answered wood product manufacturing expecting roughly the same traffic as lot 2. Councilor Williams asked if the driveway was supposed to go as long as depicted on the map from Hwy 2 all the way to the northern edge by tennis courts. Byron answered it was and spoke to the gravel, asphalt, and concrete portions of the driveway.

Councilor Williams commented that the whole area was a dust producer and Byron mentioned that BNSF and Brooks have their own driveways. Jake Mertes stated that dust was supposed to stay on your own property.

Councilors Beach, Dufficy, Smith, Taylor, and Zimmerman voted **FOR**. Councilor Williams voted **AGAINST**.

MOTION PASSED.

Councilor Smith **MADE A MOTION** to approve the subdivision as amended and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Approve claims and payroll for June of 2021.

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

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

MOTION PASSED.

Unfinished Business:

IP negotiations.

Mayor Teske reported nothing new.

DC Orr stated that the contract with IP ran out in June declaring that he had warned the Council to watch out for Alan Payne before making his belief that the Council is, "screwing the thing up."

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

Mayor Teske reported that the plans should be received shortly.

Approve Road Closure – Gail Burger, Halloween, and Timberline to the Brewery. (Tabled)

Mayor Teske and Dean Chisholm discussed there was no real sponsor for the event and that the Libby Area Businesses stepped in just to help. Gail Burger stated that the insurance policy would cost around \$330. Dean Chisholm offered his legal opinion it is in the best interests of the City to require an insurance policy be taken out on the event.

Councilor Smith **MADE A MOTION** to require insurance and approve the road closure for Halloween and Councilor Zimmerman **SECONDED**.

Brandon Haugen asked why insurance would be needed because if the road is closed it could not be the City's fault.

Mayor Teske explained that, yes, the city could still be held liable even with the road closed.

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

MOTION PASSED.

Mayor Teske requested Gail give a copy of the insurance policy to Samuel Sikes once written.

General Comments from Council:

Councilor Smith encouraged consideration be used when organizing the agenda to put people that are waiting on top and completing internal business last.

Adjournment:

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

Councilors Williams, Beach, Dufficy, Taylor and Zimmerman voted **FOR**. Councilor Smith voted **AGAINST**.

MOTION PASSED.

Meeting adjourned at 8:39 pm.

Mayor Brent Teske

Attest; _____

Clerk/Treasurer Samuel Sikes

Samuel Sikes

From: Riverfront Blues Festival Staff <riverfrontbluestickets@gmail.com>
Sent: Thursday, July 15, 2021 2:20 PM
To: samuel.sikes@cityoflibby.com; libbylocal@yahoo.com
Subject: Request for Noise Variance

Hello,

The Riverfront Blues Festival would like to request a Noise Variance at Riverfront Park for the evening of Saturday, August 14th, 2021.

Our music is scheduled until approximately Midnight but we would like to have a little leeway, if possible, in the event of any delays.

Thank you for your kind consideration of our request!

*Jonét Moreau, Director
Riverfront Blue Festival
Libby, Montana*



City of Libby

952 E. SPRUCE | POST OFFICE BOX 1428

LIBBY, MT. 59923 | Phone 406-293-2731 | Fax 406-293-4090 | Website: www.cityoflibby.org

MEMO

DATE: July 15, 2021
TO: Council Members
FROM: Kristin Smith, Chair, Parks and Cemetery Committee
RE: Recommendations for U-Serve financial assistance

U-Serve Libby, Inc. submitted a request to the City for assistance with their electric bills to light the tennis courts (see corresponding letters).

The Parks Committee met on July 1st to discuss this request and offers the following to Council for discussion and consideration:

- While the Tennis Courts are a recreational amenity for all of Libby's residents and visitors, the School District is the greatest beneficiary of the courts and biggest user of it.
- The City currently contributes \$1,500 annually as part of the Inter Local Courts Fund executed earlier this year.
- The School District does not have a monetary contribution to the Fund pursuant to the agreement.
- The letter from U-Serve indicates work was recently completed to install electrical service to the courts. The Committee would like to know what the long-term plans are for the courts.
- The Committee suggested the City pay for the electrical service *deposit* with the understanding that it will be re-paid to the city upon reimbursement to U-Serve, noting that another decision made by council down the road could supercede it.

RECOMMENDATIONS:

1. *Do not assume payment for the utility bill.*
2. *Pay the \$400 for Flathead Electric's deposit with the stipulation that the City is reimbursed when U-Serve receives the deposit back.*
3. *Request a long-term plan for the courts*

June 18, 2021

Mayor Brent Teske,

We are writing this to encourage you and the Libby City Council to reconsider your responsibility for the power bills and refundable deposit for the Libby Community Tennis and Racket Ball Courts, a facility that is open to the public free of charge.

U Serve Libby, Inc. (a 501 C3 non-profit corp.), with the approval of the City of Libby, initiated the process, including acquiring a grant from the Rotary Club, to bring power into the courts to eventually provide bathrooms and lighted courts for the convenience of those who use the facility.


U Serve, however, does not have funding with which to take on monthly billing. We were unable to have a fund raiser last year due to the pandemic restrictions and our annual fundraiser (Krispy-Kreme sales) goes primarily for court upkeep and maintenance.

Libby Community Courts, in contrast to the Legion Field, is a public facility open to all at no charge. Legion Baseball is sponsored by the American Legion which has support from a national organization and also charges admission for those who come to watch the games. It is not a public facility open to all to use.

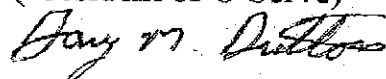
For precedence, we checked with Mark Johnson, mayor of Kalispell, who confirmed that the City of Kalispell pays for utilities for all facilities within the city that are open to the public.

Thank you for your "reconsideration."

Sincerely,



David A. Nelson
(President of U Serve)



Gary Dutton
(Treasurer for U Serve)

June 22, 2021

Mayor Brent Teske,

After I brought you the letter requesting consideration in covering the power bills for the tennis courts, Gary Dutton talked with Flathead Electric to explain our situation. They were understanding, but also can't wait for the receipt of payment of the power bills, so Gary wrote out a check for \$87 for the first two months. They did say that with the next month's billing, the \$400 deposit will have to be paid. We do not have the funds left to do so. In order to get the power into the courts we exhausted our resources with the following expenses:

Granite Concrete (two vaults).....\$1290.00

Master's Touch Electrical (Ron Miller,
Meter and panel)..... 704.50

Pival Electric (conduit, ground rods, wire).....2550.78

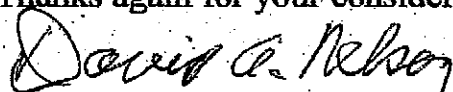
Flathead Electric (transformers, wire and
Pulling wire)..... 7,614 (of which Rotary
Paid \$5,000).

Just thought you should see the part U-Serve has played in getting the power to the courts. We were hoping for a grant (we applied for three) to help get bathrooms built too, but did not receive any grant money other than the \$5,000 from Rotary to help get the power in.

Since we do not generate any cash flow other than our annual fund raiser, it is not conceivable for us to cover the monthly power bills.

Since the courts (which were built by a huge community outpouring of help) are on city property and offered without charge to the community and passing tourists, it would make sense for the city to be the ones to make sure the power stays on for future improvements to the site.

Thanks again for your consideration,



David A. Nelson for U-Serve

RESOLUTION NO. 1985

A RESOLUTION OF THE CITY OF LIBBY, A MUNICIPAL CORPORATION OF MONTANA, ADOPTING A SOURCE WATER PROTECTION PLAN FOR THE CITY OF LIBBY PUBLIC WATER SUPPLY.

WHEREAS, the City of Libby obtains the public water supply from the Flower Creek Reservoir that lies within the Kootenai National Forest; and

WHEREAS, the City of Libby has several proposed projects within the source water protection area around the Flower Creek Reservoir; and

WHEREAS, the City of Libby is concerned with maintaining the protection of the city source water; and

WHEREAS, in early spring of 2020 the City of Libby contacted Montana Rural Water Systems, Inc. to provide assistance in updating the 2000 Source Water Delineation and Assessment Report; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Libby that the attached Source Water Protection Plan for the City of Libby Public Water Supply is hereby adopted:

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF LIBBY, MONTANA, THIS 19th DAY OF JULY 2021.

Brent Teske, Mayor

ATTEST:

Samuel Sikes, City Clerk

RESOLUTION NO. 1986

A RESOLUTION OF THE CITY OF LIBBY, MONTANA, DECLARING STAGE II FIRE RESTRICTIONS.

WHEREAS, Lincoln County, Montana, is experiencing a period of Extreme fire danger, and

WHEREAS, the Fire Managers within Northwest Montana Region, as well as the City of Libby Fire Marshal, collectively agreed that Stage II Fire Restrictions should be enacted, and

WHEREAS, Montana Code Annotated 10-3-402 allows for the declaration of a local emergency, and

WHEREAS, the State of Montana, Office of the Governor, issued Executive order No. 12-2021, an Executive Order Declaring a Statewide wildland fire emergency to exist in Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA:

That the City of Libby hereby ratifies and adopts the decision of authorities recited above and will be under Stage II Fire Restrictions effective Monday, July 19th at 2400 hours.

STAGE II FIRE RESTRICTIONS

Campfire, Recreational fires, Bonfires, and any other fires are **prohibited** anywhere.

Propane BBQ cookers **are allowed** that can be turned on and off. Briquette or Charcoal cookers are **NOT allowed**.

Smoking is prohibited outside of vehicles, buildings, lots, unless you are in a 3 foot diameter area cleared of any combustible material.

Operating motorized vehicles off designated roads or trails is **prohibited**.

Lawn maintenance equipment must have approved spark arrestor devices and only be conducted on green landscapes. Prefer this be done before 10:00 a.m. or after 6:00 p.m.

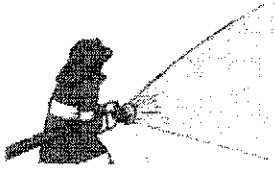
The use of any welding, cutting, or open flame devices are prohibited from 1:00 p.m. to 1:00 a.m. A 2-hour patrol following cessation of work is required and approved extinguishing equipment must be present during work.

Passed by the City Council and approved on this 19th day of July 2021.

Brent Teske, Mayor

ATTEST:

Samuel Sikes, Clerk/Treasurer



Libby Volunteer Fire Department

Fire Marshal Office

PO Box 796
Libby, Mt 59923

Telephone
(406) 293-9217

Fax
(406) 293-3219

July 15, 2021

To: Mayor and City Council

Re: Request to enact Stage 2 Fire Restrictions

July 15, 2021

Due to extreme fire conditions surrounding Lincoln County and circumstances effecting State and National preparedness levels, I am suggesting and encouraging that the City of Libby follow the Fire Restriction guidelines set forth by the Lincoln County Commissioners and other State and Federal Fire agencies by enacting by resolution or other legal means, that Stage 2 Fire Restrictions also be put in place in the City of Libby as soon as possible.

SECTION 307 OPEN BURNING, RECREATIONAL FIRES AND PORTABLE OUTDOOR FIREPLACES 2012 IFC

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any *open burning* unless conducted and *approved* in accordance with Sections 307.1.1 through 307.5.

307.1.1 Prohibited open burning. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.

City of Libby Fire Restrictions

Stage II

Campfires, Recreational fires, Bonfires and any other fires are **prohibited** anywhere.

Propane BBQ cookers **are allowed** that can be turned on and off. Briquette or Charcoal cookers are **NOT allowed**.

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The use of any welding, cutting, or open flame devices are prohibited from 1:00 p.m. to 1:00 a.m.

A 1-hour patrol following cessation of work is required and approved extinguishing equipment must be present during work.

Sincerely,

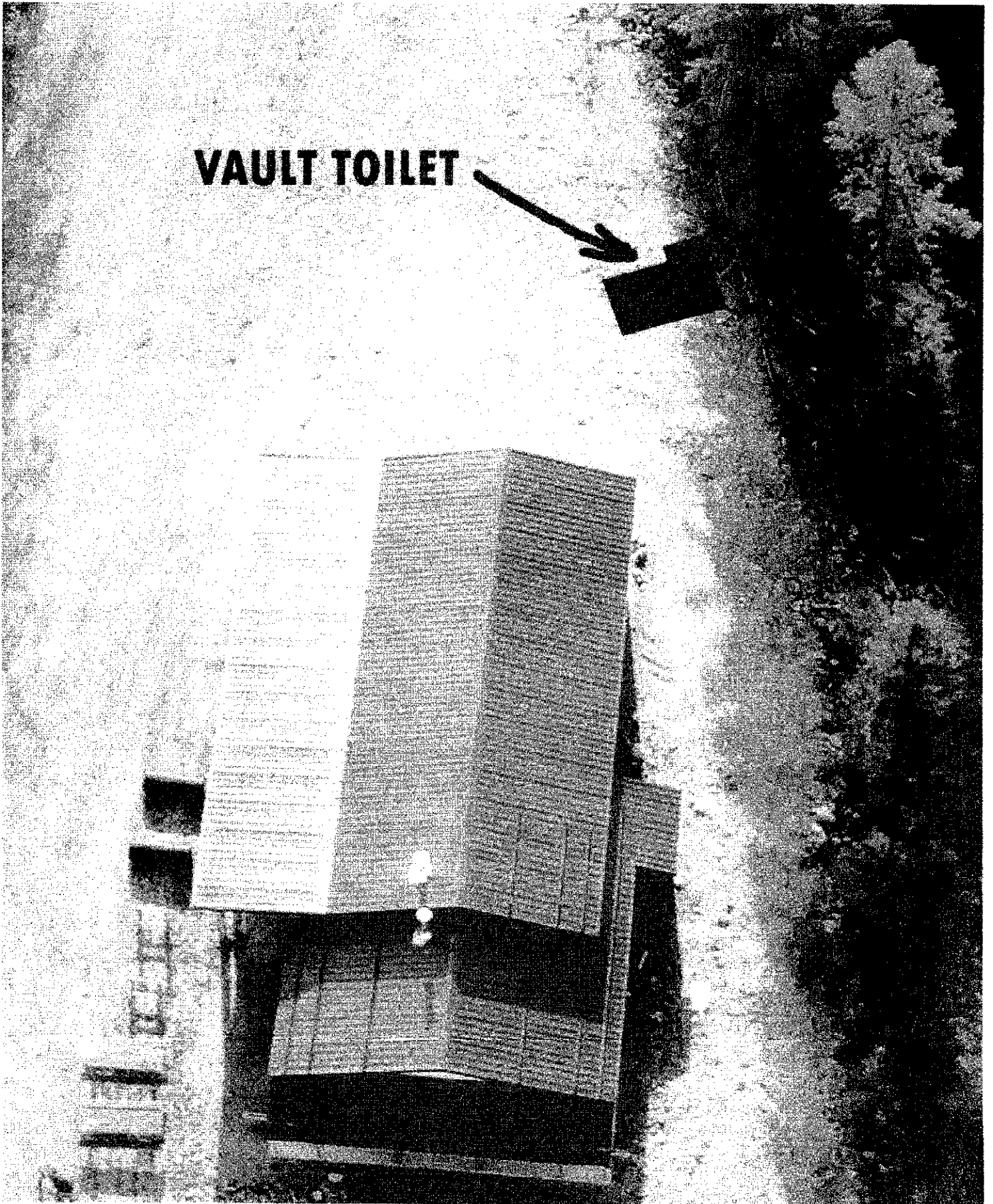
Steve Lauer

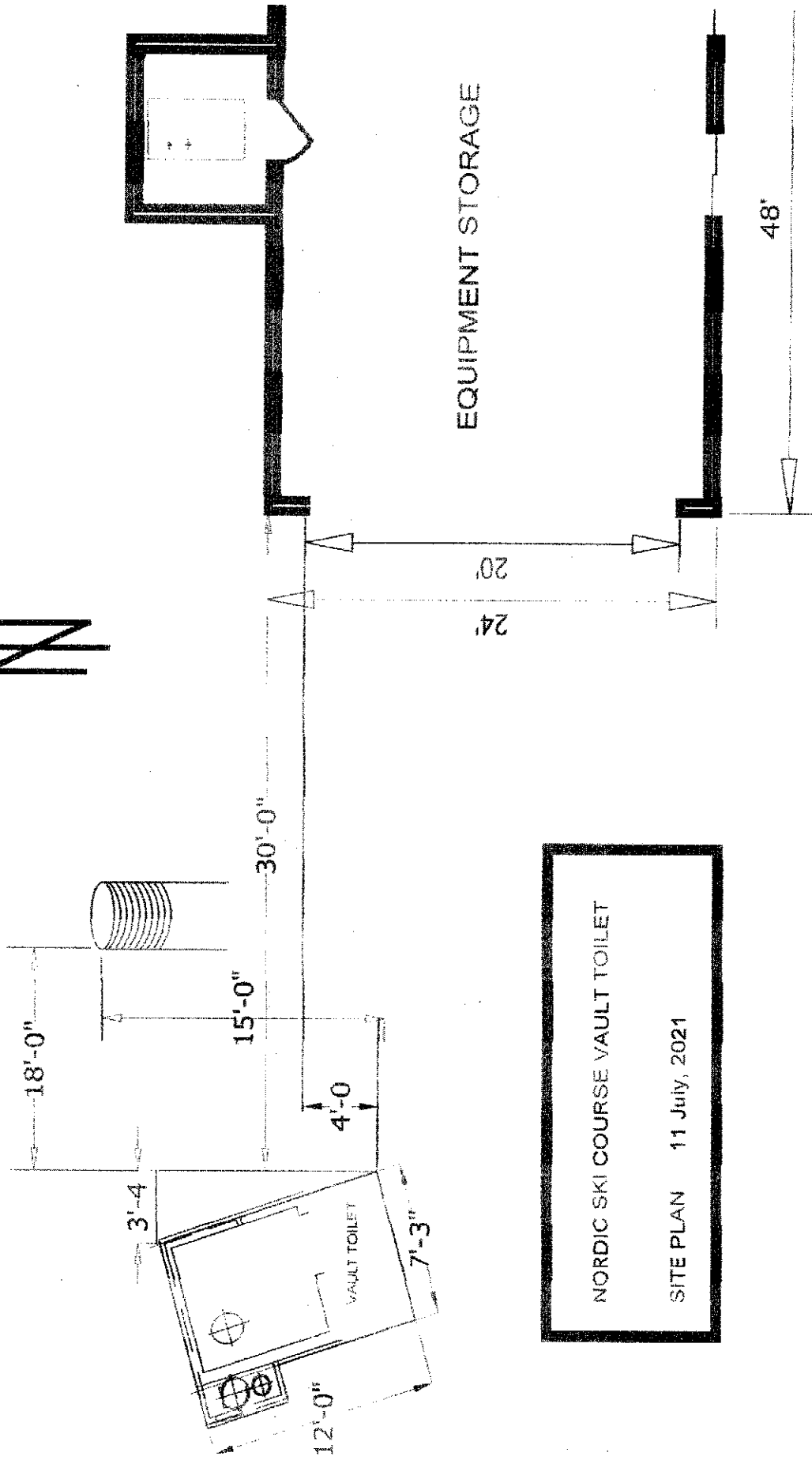


Date: 7/15/21

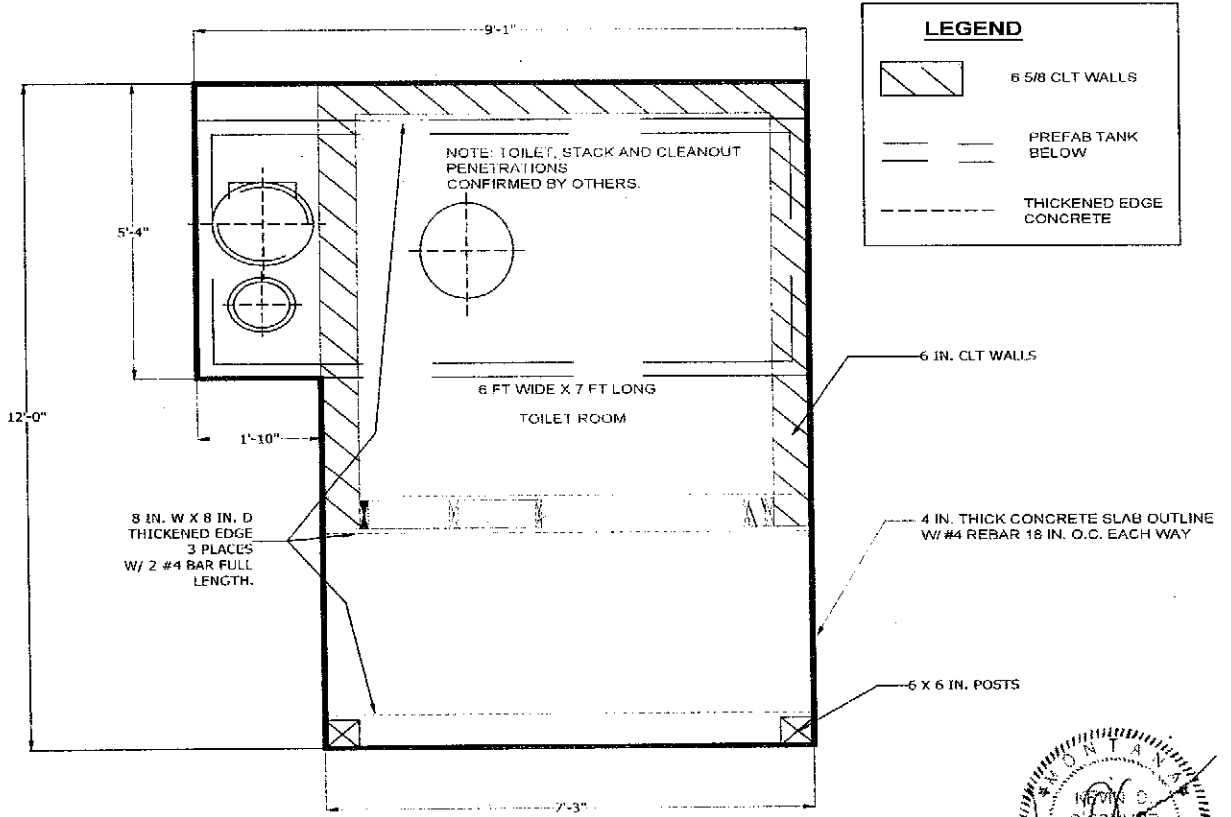
Fire Marshal/Fire Chief
Libby Fire Department

VAULT TOILET



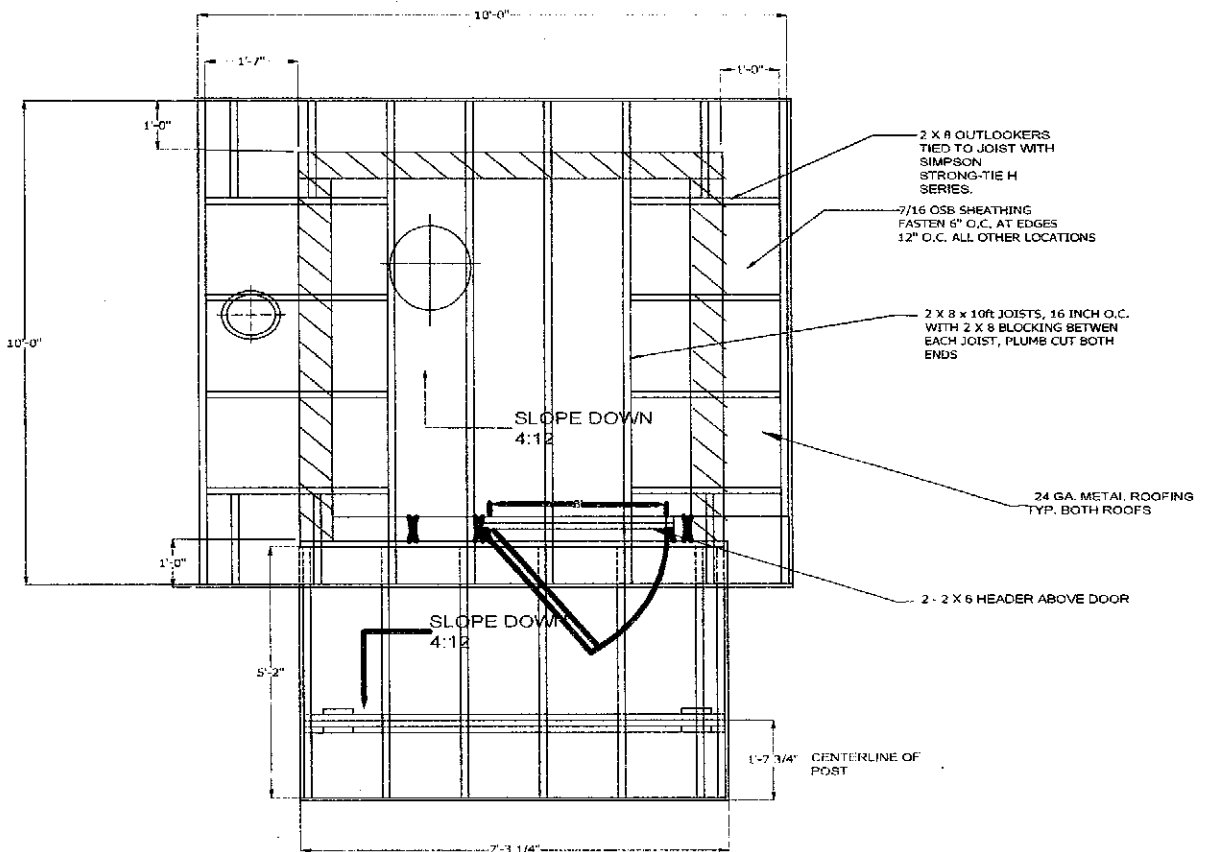


NORDIC SKI COURSE VAULT TOILET
SITE PLAN 11 July, 2021

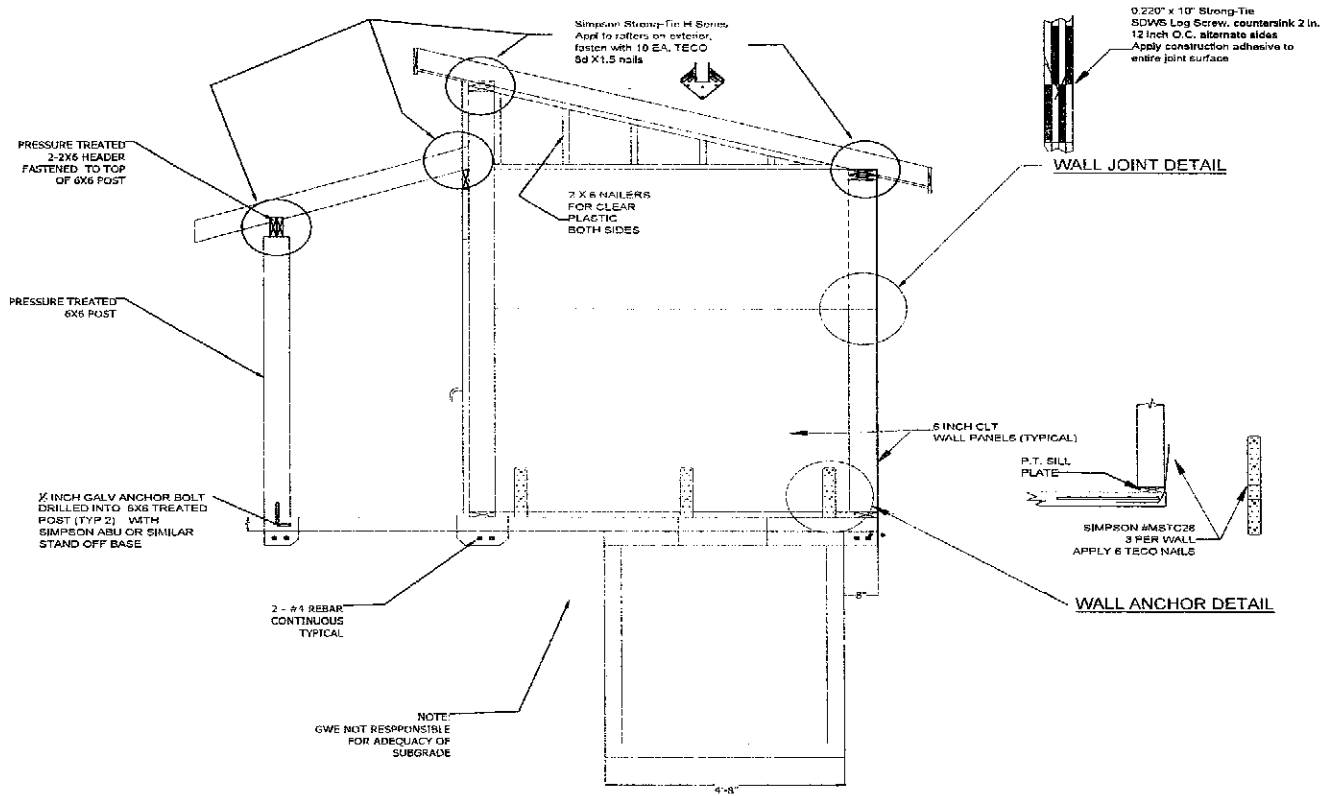


FOUNDATION PLAN





PLAN VIEW



ELEVATION VIEW

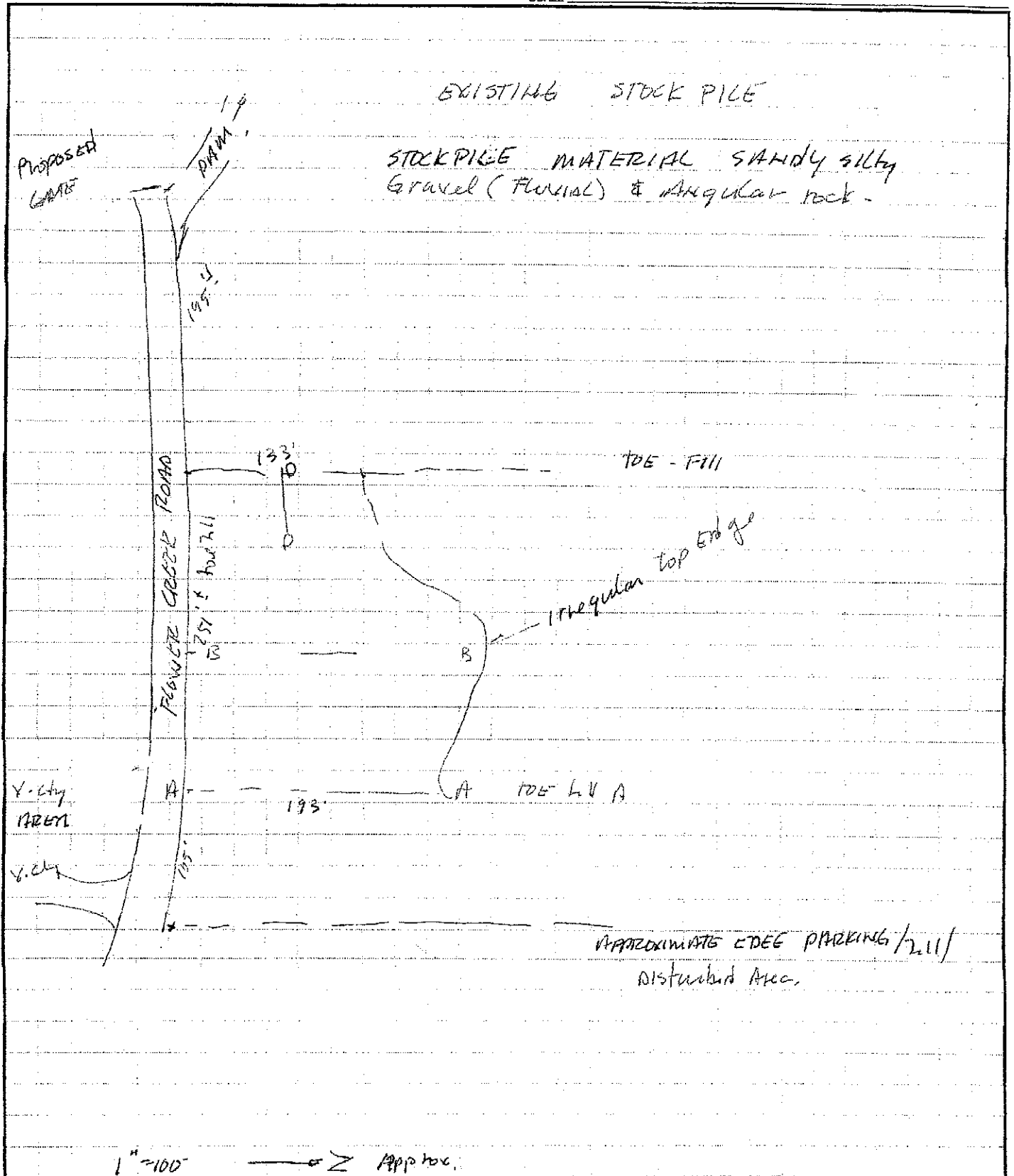
SUMMIT GROUP

210 South Wallace
Bozeman, MT 59715
(406) 585-7770
Fax (406) 585-7446

P.O. Box 1810
Great Falls, MT 59403
(406) 452-9970
Fax (406) 771-0626

1600 North Ave. West, Suite 105
Missoula, Montana 59801
(406) 728-6300
Fax (406) 728-6319

JOB _____
SHEET NO. 1 OF _____
CALCULATED BY _____ DATE 26-5-21
CHECKED BY _____ DATE _____
SCALE _____



SUMMIT GROUP

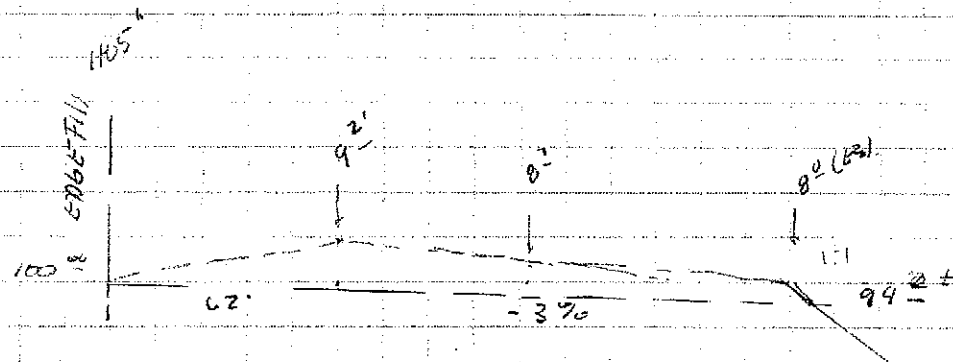
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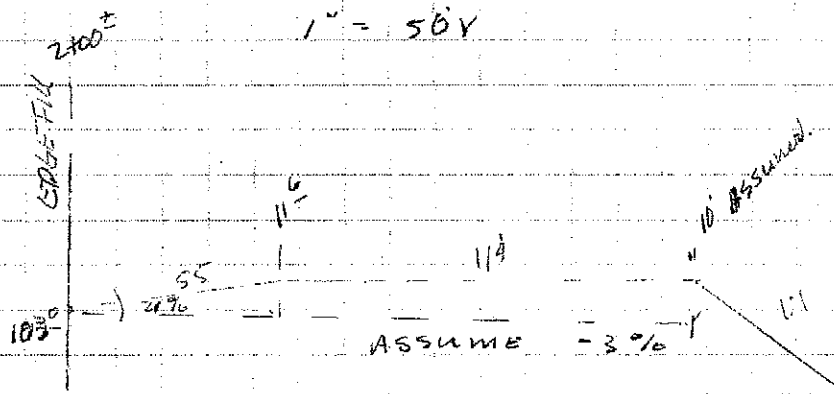
JOB _____
SHEET NO. 2 OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

SECTION A-A $1" = 50' H$
 $1" = 5' V$



END AREA $\left(\frac{0 + 9^2 + 62^2 + 99^2}{3} \right) \times 193 = 1273 \#$

SECTION B-B $1" = 50' H$
 $1" = 50' V$



END AREA $\left(\frac{0 + 11^2 + 10^2}{3} \right) \times 169 = 1210 \#$

SUMMIT GROUP

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Missoula, Montana 59801
(406) 728-6300
Fax (406) 728-6319

JOB _____

SHEET NO. 3 OF _____

CALCULATED BY _____ DATE _____

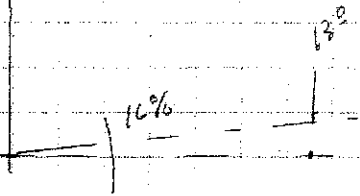
CHECKED BY _____ DATE _____

SCALE _____

SECTION D

1" = 50' H
1" = 50' V

TOE FILL



SUMMIT GROUP

210 South Wallace
Bozeman, MT 59715
(406) 585-7770
Fax (406) 585-7446

P.O. Box 1810
Great Falls, MT 59403
(406) 452-9970
Fax (406) 771-0626

1600 North Ave. West, Suite 105
Missoula, Montana 59801
(406) 728-6300
Fax (406) 728-6319

JOB _____
SHEET NO. 4 OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

Volume Calculation -

$$C = 0$$

$$\left(\frac{A + B + C}{3} \right) \times 280 = \text{ft}^3$$

$$\left(\frac{1273 + 1217 + 0}{3} \right) \times 280 = \underline{232,400 \text{ ft}^3} = \underline{8,607 \text{ CYS}}$$

SUMMIT GROUP

210 South Wallace
Bozeman, MT 59715
(406) 585-7770
Fax (406) 585-7446

P.O. Box 1810
Great Falls, MT 59403
(406) 452-9970
Fax (406) 771-0626

1600 North Ave. West, Suite 105
Missoula, Montana 59801
(406) 728-6300
Fax (406) 728-6319

JOB _____
SHEET NO. 5 OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

SPREAD:

TOTAL Length -

$$105' + 251 + 195' = 531'$$

width -

$$193 + 100 = 293/2 = 146.5$$

AREA = $77,792$ ^D oops!

$$232,400 / 77,792 = 2.98' \text{ thick.}$$

Slope Flower Creek to top \approx 6' from 2 points
measured.

SUMMIT GROUP

210 South Wallace
Bozeman, MT 59715
(406) 585-7770
Fax (406) 585-7446

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JOB _____

SHEET NO. _____ OF _____

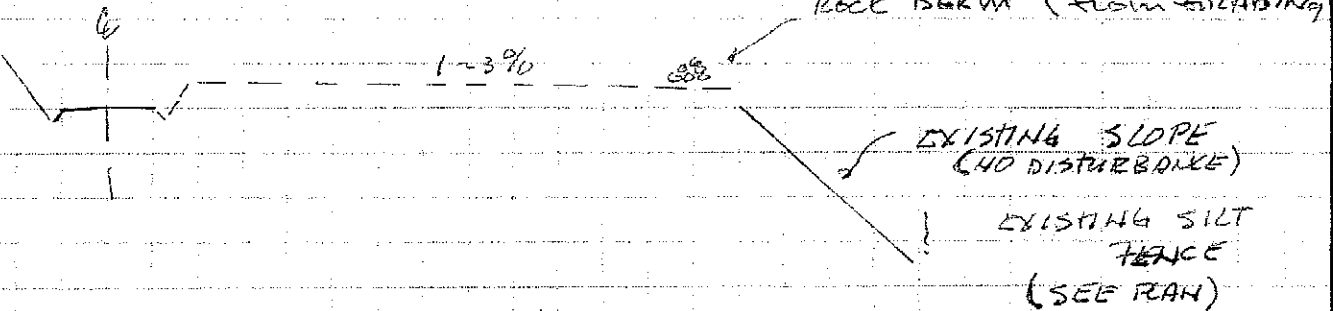
CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

SCALE _____

PROPOSED FULL SECTION

FLOWER CREEK
ROAD (EXISTING)



NOT TO SCALE



PROPOSED GRADING PLAN

Limits of Grading - - - -

Existing Silt Fence - - - -

