



CITY OF LIBBY

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REGULAR COUNCIL MEETING #1588

OCTOBER 4TH, 2021 @ 7:00PM

COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Roll Call
- Welcome
- Prayer offered by Bill Sonntag
- Approve Special Council Minutes #1585 and Regular Council Minutes #1586 dated 20 September 2021.

ANNOUNCEMENTS:

COMMITTEE REPORTS:

- City Administrators Report
- Fire
- Police
- Ordinances
- Lights/Streets/Sidewalks
- Building
- Water/Sewer
- Zoning Commission
- Cemetery/Parks
- Budget
- 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.

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

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 to be taken. Following council discussion on each item there will be an opportunity for public comment prior to any action being taken. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

1. Approve all Claims and Payroll for September of 2021.
2. Approve all businesses received to date.
 - a. M.V.P. Control, Individual, 314 ½ Colorado Ave. Predator Control.
 - b. Stephens home health & cleaning services, Individual, 415 Montana, Home health care and cleaning.
 - c. Tettenhorst Construction, Individual, 436 Doak Cr. Rd., Tile, sheetrock, brick laying, framing.

UNFINISHED BUSINESS: Each item will be introduced by the mayor (or assigned liaison) with a description of the item. Following council discussion on each item there will be an opportunity for public comment. No action will be taken. Public comment is limited to 3 minutes concerning each item.

1. IP negotiations.
2. American Legion Auxiliary #95, Statue in cemetery repair. (In Committee)
3. Lower Reservoir sampling building/generator purchase or donation.
4. Noble Excavation request for easement by Sewage Treatment Plant. (In Committee)
5. City Council Committee reassignments.

GENERAL COMMENTS FROM COUNCIL: Public comment will not be taken during this portion of the meeting.

ADJOURNMENT:

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: 09/30/21

UNAPPROVED MINUTES

The City Council held Special Council Meeting #1585 on Monday, September 20th, 2021, in the Council Chambers at City Hall to conduct interviews and appoint a new council member.

Call to Order:

The meeting was called to order at 6:20 pm by Mayor Peggy Williams.

The Pledge of Allegiance was competed, and Roll Call commenced. Present were Mayor Peggy Williams, Councilors Gary Beach (via Zoom), Rob Dufficy, Kristin Smith, Hugh Taylor, Brian Zimmerman (via Zoom), City Administrator Jim Hammons, and City Clerk/Treasurer Samuel Sikes.

Mayor Williams welcomed all and requested that the candidates be escorted from the room. Jim Hammons led Melissa Berke and Zachariah McNew out of the chambers while Mayor Williams explained to the Council that there were three applications for the appointment although only two were present. One candidate had to depart town on a family emergency.

Jim Hammons returned with Zachariah McNew and Zach approached the podium. McNew gave a brief biography before Mayor Williams opened the meeting up for questions from the council. Councilor Zimmerman wished McNew luck stating that Zach had done good works for the Rotary. Councilor Beach complimented the resume and asked McNew what his hopes and goals were if appointed onto the Council. McNew voiced the belief that Libby is at a crossroad and needed more jobs and housing to help the community discover its identity adding that this starts at the top.

Councilor Smith thanked McNew for applying and Councilor Taylor asked what McNew thought was Libby's number one challenge. McNew felt the community was stuck in the old ways with all the youth leaving Libby and added that Libby needed to learn how to handle money better by learning from the past.

Councilor Dufficy, mentioning Zach's decent credentials, asked how McNew felt about development in the area, such as the Port Authority. McNew stated that the Community had to look at itself on items such as housing and entertainment. Zach expressed the desire to make Libby more beautiful, see greener grass, extend the sewer system out to old ShopKo area, and build more houses to lower housing costs.

Mayor Williams thanked Zach McNew after there were no more questions from the Council.

Jim Hammons brought out Melissa Berke who Mayor Williams welcomed and asked to give a short biography.

Melissa Berke spoke to the challenges of owning a small business and the desire to make Libby better in the future.

Councilor Zimmerman asked Melissa what updates she required. Melissa stated willingness to attend more meetings and to make contact with the City Engineer Mike Fraser. Berke thanked Sikes for lessons

on the budget and government accounting before stating willingness to act if the Council would just point the way.

Councilor Beach thanked Berke and pointed out Melissa’s concern in the resume that the local area was out priced and asked how that could be fixed. Berke stated that the influx of people had raised the housing costs adding that Libby needed more jobs and industry such as could be made possible in the Port Authority. If Libby can bring in more business it will bring in more money.

Councilor Beach asked what committees Berke would like to be on. Melissa voiced the desire to help Sam with the budget and also serve on the Water/Sewer committee. Councilor Smith thanked Melissa and did not pose any questions.

Councilor Taylor thanked Berke and asked what diversity Melissa would bring to the Council. Berke voiced pride in being a small business owner and a mother of young children who possesses the desire to help the community.

Councilor Dufficy asked if Berke worked at the Cabinet View Golf Club in 2014 and 2015. Berke answered yes. Councilor Dufficy informed the Council that Berke handled large dinners at the Club and expressed appreciation in a person who would leave a job to take the risk of becoming an entrepreneur.

Councilor Dufficy stated that it was unfortunate that the third candidate was not present. Councilor Taylor pointed out that the third candidate, Garrey Allen, had not submitted a resume with the application and was ineligible and Mayor Williams agreed stating that was how the packages were introduced earlier and again explained the Allen could not make it due to a family emergency.

Mayor Williams opened and closed the floor to public comment once none was offered and opened the floor to nominations.

Councilor Dufficy nominated Melissa Berke and Councilor Beach nominated Zachariah McNew.

A voice vote was held by hand. Councilor Beach – McNew, Councilor Dufficy – Berke, Councilor Smith – McNew, Councilor Taylor – Berke, and Councilor Zimmerman - McNew

Mayor Williams swore in Zachariah McNew into the Libby City Council.

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 6:47pm.

Mayor Peggy Williams

Attest; _____
Clerk/Treasurer Samuel Sikes

UNAPPROVED MINUTES

The City Council held Council Meeting #1586 on Monday, September 20th, 2021, in the Council Chambers at City Hall.

Call to Order:

The meeting was called to order at 7:00 pm by Mayor Peggy Williams.

The Pledge of Allegiance was competed, and Roll Call commenced. Present were Mayor Peggy Williams, Councilors Gary Beach (via Zoom), Rob Dufficy, Zachariah McNew, Kristin Smith, Hugh Taylor, Brian Zimmerman (via Zoom), City Administrator Jim Hammons, and City Clerk/Treasurer Samuel Sikes.

Mayor Williams welcomed all and congratulated Zachariah McNew as the newest member of the Council.

Announcements:

None.

Prayer was offered by Tom Cole.

Committee Reports:

City Administrator: Jim Hammons reported substantial completion on the Water Systems Improvements and spoke to the numerous water leaks in the system. The leaks are caused because a strong vacuum that is created when the line empties and the pressure of refilling the line creates the opposite forces that fracture older lines and joints. The city crew and two contractors are currently working to patch the leaks.

Jim Hammons also reported that the street crew is still short on personnel so the water/sewer bills would be late. No late fees will be assessed until the meter reading gets back on track. Councilor Dufficy asked what was going to happen with the old above ground main and if it had any value. Jim stated that it would remain in place as it had no value and would be cost prohibitive to remove.

Police: Chief Kessel, for August of 2021, reported 297 calls for service, 35 arrests, 32 citations, and 7 ordinance violations. For the same period last year there were 290 calls, 14 arrests, 26 citations, and 6 ordinance violations. Pre-COVID numbers for August of 2019 were 349 calls, 42 arrests, 50 citations, and 5 ordinance violations.

Chief Kessel reported that an Officer and his family are now recovering from COVID, the jail is now only taking violent offenders, new radios will be up and running next month.

Councilor Dufficy asked if there was a common denominator to the citations to which Chief Kessel answered weeds. Councilor Taylor asked if there were any calls for bear activities to which Chief Kessel answered that there were a few calls for trash cans being knocked over.

Zoning Commission: Councilor Smith reported that the next Zoning Meeting would be on the 22nd of September at 6pm to continue working on Residential A. Also reported was that there would be upcoming planning meetings with the growth policy people. The Council will have special meetings around the third week of October to be updated.

Finance: Samuel Sikes reported that the final budget for FY22 has been completed and turned into the Department of Administration and copies of the mill levies were submitted to Sedaris Carlberg at the County and Judith Hemphill with the Department of Revenue.

City-County Board of Health: Mayor Williams read an email from Amy Fantozzi reporting a meeting was held on September 14th and that the hospitals are overwhelmed with the COVID numbers exponential growth. The next meetings will be on 12th and 19th October.

Public Comment on Non- Agenda Items:

None.

New Business:

Ordinance 1992 – Zoning changing for properties in Cabinet Heights neighborhood (Cabinet View Golf Club). (Second Reading)

Mayor Williams completed the second reading of Ordinance 1992.

Councilor Smith **MADE A MOTION** to approve Ordinance 1992 and Councilor Taylor **SECONDED**.

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

MOTION PASSED.

Appoint a new City Council President.

Mayor Williams explained that the policies and procedures for this position means that it would only be valid until the 31st of December this year adding that the normal standard is to appoint the senior councilor as the Council President.

Councilor Taylor **NOMINATED** Councilor Zimmerman and Councilor Dufficy **SECONDED**.

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

NOMINATION PASSED.

Councilor Williams explained the Council assignments and requested that the Councilors send Council President Zimmerman an e-mail with desired positions.

Councilors Smith and Dufficy stated pleasure with the current assignments. Councilor Taylor expressed pleasure with current assignments and volunteered to fill the vacancy in Ordinances.

Council President Zimmerman will make any changes that will be good for the next 3 months and Councilor McNew will e-mail Council President Zimmerman with requested positions.

Unfinished Business:

IP negotiations.

Mayor Williams asked Councilors Smith and Taylor if there were any comments. Councilor Taylor informed the Council that there had been conference calls moving forward with public information and forming a legal strategy. Updates will be coming soon since not everyone in Libby fully understands the history of the IP situation.

American Legion Auxiliary #97 – Statue in cemetery repairs.

Mayor Williams and the Council agreed to place the statue repairs question into the Park/Cemetery committee.

Lower Reservoir sampling building/generator purchase or donation.

Jim Hammons reported that the building has not been used in the past 6 years and could see no future use as city property as the building is now wasting away.

Councilor Dufficy asked if the building was to be sold as one piece and Mayor Williams said that the easiest way to sell it would be to put it up for bid. Councilor Dufficy stated there should be a reserve on the sale and Mayor Williams said it is not easy to find the value. Councilor Dufficy argued that the building has to have a minimum value.

Mayor Williams offered a draft copy of a resolution for discussion that is necessary to sell surplus equipment. A list of surplus items to be sold needs to be attached to the resolution. Hammons or Sikes can set a price. Councilor Smith asked if any lots would be sold and Sikes informed the Council that the building and tank were not attached to any lots as it is roughly just an 8 x 12 shed.

Noble excavation request for easement by Sewage Treatment Plant.

Mayor Williams requested that the easement question be placed into committee to which Council President Zimmerman agreed as there is a lot to look into with the infrastructure and road questions.

Councilor Dufficy stated that Noble was agreeable to complete in-kind work believing that this action would be a smooth process. Mayor Williams stated that the city still had to set requirements for the easement. Councilor Smith asked if Noble was going to complete the work to which Mayor Williams answered yes, after the city and BNSF gave the OK.

General Comments from the Council:

Council President Zimmerman congratulated Councilor McNew on the appointment to the Council.

Mayor Williams informed the Council that it was believed that the city had missed another year of grants due being allowed only one open federal grant at a time. The Mayor was pleased that the deadline for grant applications had been extended and that Fraser was working hard to submit a new grant request for the Sewer Department. Special meetings will have to be held due to the short timeline on approving any grant requests.

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:25 pm.

Mayor Peggy Williams

Attest; _____
Clerk/Treasurer Samuel Sikes