



## CITY OF LIBBY

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### REGULAR COUNCIL MEETING #1592

NOVEMBER 1<sup>ST</sup>, 2021 @ 7:00PM

COUNCIL CHAMBERS – CITY HALL

#### **CALL TO ORDER:**

- Pledge of Allegiance
- Roll Call
- Welcome
- Prayer offered by Joseph Miller.
- Approve City Council Minutes #1584 dated 7 Sep 2021, #1589 dated 18 Oct. 2021, Special Council Minutes #1590 and #1591 dated 25 Oct. 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 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. 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 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. Public comment is limited to 3 minutes concerning the agenda item being discussed only.

1. Adopt Ordinance 1995 - Zoning previously annexed property as Highway Commercial. (First Reading)
2. Approve payroll and claims for October 2021.
3. Approve all businesses received to date.
  - a. KM Construction and Handyman, 446 Farm to Market, Construction and Handyman

**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. Noble Investments request for easement by Sewage Treatment Plant. (In Committee)

**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:** 10/28/21

## UNAPPROVED MINUTES

The City Council held meeting #1584 on Monday, September 7, 2021, in the Council Chambers at City Hall.

### CALL TO ORDER:

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

Present were Councilors Gary Beach, Hugh Taylor, Rob Dufficy and via Zoom were Councilors Smith and Zimmerman and City Attorney Dean Chisolm. Also present were City Clerk/Treasurer Sam Sikes and Deputy Clerk Charlotte Luedecke. Absent was City Administrator Jim Hammons.

Prayer was offered by Benjamin Girod.

### **Approve Minutes from meeting #1580 dated August 16, 2021.**

Beach **MADE A MOTION** to approve the minutes from meeting #1580 dated August 16, 2021.

Smith **SECOND**.

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

### **MOTION PASSED.**

### **Approve Minutes from Public Hearing held on August 23, 2021.**

Smith **MADE A MOTION** to approve the minutes from The Public Hearing dated August 23, 2021.

Beach **SECOND**.

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

### **MOTION PASSED.**

### **Approve Minutes from Special Council meeting #1581 dated August 23, 2021.**

Smith **MADE A MOTION** to approve minutes from the Special Council Meeting #1581 dated August 23, 2021.

Dufficy **SECOND**.

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

### **MOTION PASSED.**

### **Approve Minutes from Special Council Meeting #1582 dated August 23, 2021.**

Beach **MADE A MOTION** to approve minutes from Special Council Meeting #1582 dated August 23, 2021.

Zimmerman **SECOND**.

Public comment was made by D.C. ORR, 1117 Nevada Ave., Regarding previous finding by the Commission of Political Practices.

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

**MOTION PASSED.**

**Approve Minutes from Special Council Meeting #1583 dated August 23, 2021.**

Bach **MADE A MOTION** to approve the minutes of Special Council Meeting #1583 dated August 23, 2021.

Zimmerman **SECOND**.

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

**MOTION PASSED.**

**ANNOUNCEMENTS:**

Mayor Williams reminded of the City wide water shut off beginning September 13, 2021 at 10:00PM which should last approximately 6 hours. This will be followed by a boil order for an undetermined length of time. Call City Hall during business hours with questions.

It was noted was that the date was changed due to the Chainsaw Carving event being held this weekend.

Jim Beasley has withdrawn his request for a conditional use public hearing and will not be in attendance this evening. He has chosen to go in a different direction.

As an overall comment for the Council Mayor Williams stated that legal has reviewed all of the resolutions, ordinances and grant applications.

**COMMITTEE REPORTS:**

City Administrators Report – None

Fire – None

Police – None

Ordinances – None

Lights/Streets/Sidewalks – None

Building – None

Water/Sewer – Sikes gave a report of an employee having covid and that water/sewer is very short handed. Water/sewer bills will be late getting out as we are trying to get all the meters read.

Zoning – Smith reported the committee met on August 25, 2021, there was not a full committee, but members were present, discussion on residential district A. This follows a field trip around town noticing things to improve upon. Next meeting scheduled for September 22, 2021.

Cemetery/Parks – Will be scheduling a committee meeting soon.

Budget – On tonight's agenda

KRDC – None

City-County Board of Health – None

Park District Manager of Projects – On tonight's agenda.

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

Linda Bell, 182 Garden Road, Bell states she received a letter from an engineering firm regarding a recreational pond being put by the Libby Middle School. Bell expressed concern over the pond being only a block away from the school and the safety of small children.

**OLD BUSINESS:**

American Legion Auxiliary #95, Statue in cemetery repair. Tabled and moved to unfinished business. There is some confusion of exactly which property it is on.

**NEW BUSINESS:**

Tony Petrusha, 559 Florence Road, Petrusha is here to discuss a request for the purchase/donation of the Lower Reservoir Sampling Building for Turner Mountain. Petrusha wanted to make certain that no one thought anything “sneaky” was done to get the building.

Mayor Williams pointed out that this topic was not shared with Council and tonight is for discussion only.

Discussion followed.

Request for Easement by Sewage Treatment Plant.

Chris Noble, 140 Antler Ridge Road - Mr. Noble gave an overview of reasons for the proposed easement from City Service Road onto the BNSF right-of-way. Noble stated BNSF would like to get rid of the “Pamida” crossing as it is a hazardous crossing. BNSF has not yet been approached Noble to assist in paying for any of the improvements. Noble continued saying that this could be good for the community growth, it would give a corridor for city services up to the end of the four lane on Highway 2 at no cost to the city for future growth. Noble is only asking for a letter granting they have an easement so they can approach the railroad.

Discussion followed.

Adopt Resolution 1993 – Authorization to Submit to Montana Coal Endowment Program (MCEP) Infrastructure Planning Grant.

Mike Fraser, Engineer for the City of Libby explained the reasons for these grants and also provided printed material for the Council members. In March 2021 Fraser met with City Council to talk about ongoing activities and public works planning. Last year two applications were submitted to Renewable Resources for loan grants as well as to MCEP for a grant, both of which were funded to replace instrumentation and controls at the treatment plant. Those applications were based on a report done in 2018. Also, in 2018 City Council amended the Water PER that had been completed in 2013. Fraser thinks that enough changes and improvements have been made to the system that an evaluation of the entire system is in order.

Submitting an application for a planning grant to Renewable Resources would be the second component of the plan to submit to MCEP. Then the City could advertise and select an engineer to look in depth at the water system.

Fraser is requesting that the resolution approving the application to MCEP and for the mayor to sign the same.

Mayor Williams read Resolution 1993 aloud.

Smith **MADE A MOTION** to adopt Resolution 1993 – Authorization to Submit to Montana Coal Endowment Program (MCEP) Infrastructure Planning Grant Application.

Beach **SECOND**.

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

**MOTION PASSED.**

Mike Fraser updated on other projects and provided written information on them.

**Approve street closure on September 15 for Timberline Auto from 8:30-11:00am.**

Ryan Andreesen, 617 Mineral Ave., Asking to close Mineral Ave. from Lincoln Blvd to 6 Street from 8:30 – 11:00am to take delivery of a very special vehicle for which Timberline was selected.

Taylor **MADE A MOTION** to approve street closure September 15, 2021, from 8:00 to 11:00am.

Dufficy **SECOND**.

Smith, Dufficy, Taylor voted **FOR**.

Beach and Zimmerman **ABSTAINED**.

**MOTION PASSED.**

**Adopt Resolution 1987 – Requesting Distribution of Bridge and Road Safety and Accountability Program Funds.**

Smith **MADE A MOTION** to adopt Resolution 1987 – Requesting Distribution of Bridge and Road Safety and Accountability Program Funds.

Beach **SECOND**.

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

**MOTION PASSED.**

**Adopt Resolution 1989 – Fixing the Annual Appropriations for FY22.**

Beach **MADE A MOTION** to adopt Resolution 1989 – Fixing the Annual Appropriations for FY 22.

Zimmerman **SECOND**.

Taylor stated he appreciated all of the time and efforts put in by the budget committee to set the budget. Also, stated that he is a bit gray on the budget, but trying to figure it all out. Said somewhere in this budget things need to be tightened up.

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

Taylor **OPPOSED**.

**MOTION PASSED.**

### **Adopt Resolution 1990 – Setting the Tax Levy for FY22.**

Taylor **MADE A MOTION** to Approve Resolution 1990 Setting the Tax Levy FY22.

Beach **SECOND**.

Discussion followed.

**MOTION PASSED.**

### **Adopt Resolution 1991 – Setting Salaries and Wages for FY22.**

Dufficy **MADE A MOTION** to adopt Resolution 1991 – Setting Salaries and Wages for FY22.

Beach **SECOND**.

Discussion followed.

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

**MOTION PASSED.**

### **Ordinance 1992 – Changing the Zoning for Certain Properties in the Cabinet heights Neighborhood from Highway Commercial to Residential B and Parks and Open Space. (First Reading)**

Beach **MADE A MOTION** to approve Ordinance 1992 - Changing the Zoning for Certain Properties in the Cabinet heights Neighborhood from Highway Commercial to Residential B and Parks and Open Space. (First Reading)

Zimmerman **SECOND**.

Discussion followed.

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

**MOTION PASSED.**

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

Amanda Steele, Individual, 1312 Montana, Libby, Home cleaning and sitting.  
Familiar Raven, LLC, 145 Spencer Rd. Libby, Arts and Craft Sales  
First Choice Cleaning Services, LLC, 310 W Flower Street, Libby, Commercial and residential cleaning  
M.T. Washing, LLC, 713 Wisconsin Ave., Libby, Power washing services  
Ward Enterprises, LLC, 362 Vanderwood Rd., Libby, Hauling, grading, dirt work  
Wild Woods Inc. of Libby, LLC, 108 E. 9<sup>th</sup> Street, Libby, Personal care products, cosmetic injections

Taylor **MADE A MOTION** to approve all business licenses received to date.

Dufficy **SECOND**.

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

**MOTION PASSED.**

**Approve Claims and Payroll for August 2021.**

Beach **MADE A MOTION** to approve claims and payroll for August 2021.

Taylor **SECOND**.

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

**MOTION PASSED.**

**COMMENTS FROM COUNCIL:**

Taylor asks what is going to be done to fill the vacancies on Council and the committees created when Williams moved up to the mayoral position.

Mayor Williams states that this will be rectified at the September 20, 2021, Council meeting.

Mayor Williams has been approached by Bruce Vincent regarding the City writing a letter of support for the Chamber of Commerce so they can try to obtain a tourism grant.

After some discussion Mayor Williams said she will draft a letter from the City supporting the Chamber for the grant.

**UNFINISHED BUSINESS:**

IP Negotiations –



Allen Payne is representing the City in these negotiations and is present at this meeting to speak about the ongoing negotiations.

Payne explains that there has not been much progress.

Payne stated that there are some things that need to be discussed with council in closed session.

Mayor Williams states that the EMA conference room has been made available in anticipation of a closed-door session.

Taylor expressed that since this affects the City of Libby, it should be discussed in open session.

Mayor Williams asked for Dean Chisholm to give his thoughts on doing this in open session.

Chisholm explained that typically it is a very bad idea to discuss litigation strategies in an open meeting as it shares privileged attorney/client materials with the public and the other side. This is why there has been an exception in the law to be able to go into a closed – door meeting to discuss litigation strategies. If Payne was only giving an update and not discussing litigation that would be a different situation.

Payne proposed to begin in open session and layout options the City has going forward and if the discussion goes toward litigation strategy he can try to avoid that. Ultimately Payne would like to have a sub-committee set up to come up with ideas moving forward with IP.

Discussion followed. Smith and Taylor volunteered to be the sub-committee.

Taylor asks when the sub-committee could meet.

Payne is willing to meet after the Council meeting tonight. Taylor and Smith agreed to this.

**PUBLIC COMMENT OUTSIDE OF IP:**

D.C. Orr, 1117 Nevada Ave., Orr commented on his opinion of Payne and the IP negotiations.

Payne responded to Orr's comments.

Other public comments were made by: Diane Hicks, Renwood Drive, and Dave Kemmemer, 124 Pioneer.

**AJOURNMENT:**

Dufficy MADE A MOTION to adjourn.

Taylor SECOND.

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

Meeting adjourned at 8:37pm.

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Mayor, Peggy Williams

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Deputy Clerk, Charlotte Luedecke

## UNAPPROVED MINUTES

The City Council held Council Meeting #1589 on Monday, October 18, 2021, in the Council Chambers at Libby City Hall.

### Call to Order:

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

The Pledge of Allegiance was completed, and roll call commenced. Present were Mayor Peggy Williams, Council President Brian Zimmerman, Councilors Gary Beach, Rob Dufficy, Zachariah McNew, Kristin Smith, Hugh Taylor, City Administrator Sam Sikes, and Deputy Clerk Charlotte Luedecke.

Mayor Williams welcomed all present.

Approve Special Council Meeting Minutes #1587 dated October 4, 2021. Councilor Zimmerman **MADE A MOTION** to approve, and Councilor Beach **SECONDED**.

Councilors Beach, Smith, Zimmerman, McNew and Dufficy voted **FOR**, Councilor Taylor **RECUSED** himself as he was not present for the entire meeting.

### **MOTION PASSED.**

Approve City Council Minutes #1588 dated October 4, 2021. Councilor Beach **MADE A MOTION** to approve, and Councilor Smith **SECONDED**.

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

### **MOTION PASSED.**

Approve minutes for Public Hearing dated October 12, 2021. Councilor Smith **MADE A MOTION** to approve, and Councilor Zimmerman **SECONDED**.

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

### **MOTION PASSED.**

Announcements: None

### Committee Reports:

**Fire** – Councilor Zimmerman reported that for the second time, Lincoln County Rural/Libby City Fire did not receive the \$120,000 grant for SCBA equipment. The SCBA equipment the City/County Rural Fire has is very aged and at the end of its life span, if not passed it. There are other funding programs out there to look at but, if none can be found, Fire Department will be looking for \$100,000 or more from the City to help with purchasing new SCBA breathing apparatus for firefighters entering into burning buildings.

**Police** – Chief Kessel reported there were 216 service calls, 17 arrests, 25 citations and 3 City Ordinance violations for September 2021. Sargent Pape is at a forensic interview training school in Helena, this course will allow him to interview child victims of sexual offenses. The jail is still taking only violent offenders for the most part. The new radios are up and running with no problems. Lastly, there was a deer put down by the elementary school a couple of weeks ago that tested positive for CWD.

**Zoning Commission** - Nothing to report. Planning board will meet October 25, 2021, at 7:00pm at City Hall.

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

D.C. Orr, 1117 Nevada Ave., voiced his opinions towards previous City Councils and a perceived injustice to one of the members and expressed concerns regarding closed meetings referring to MCA 2-3-203 (The Montana Sunshine Law).

Tony Petrusha, 559 Florence Road, gave an update on the road improvements on Flower Creek Road (FS128). The first phase is done which included widening and smoothing the road, adding culverts, and relocating the gate. Phase 2 is paving which originally quoted at \$118,000 but is now down to \$80,000. Flower Creek Project has \$50,000 and are looking into a grant for \$15,000. Tony asked the city to consider giving a \$20,000 investment for their part of the City's easement to the dam for future recreation.

**Old Business:**

American Legion Auxiliary #97, Statue in Cemetery repair.

Mayor Williams reported that the American Legion Auxiliary #97 have raised enough funds for the repair and replacement of the statue. The statue will be removed around Veterans Day and the wreath laying ceremony will be November 11, 2021, at 11:00am.

No further discussion is needed on this topic at this time.

**City Council Reassignments.**

Councilor Zimmerman stated that the reassignments have been completed, Councilor McNew will chair the budget/finance committee as well as sitting on the cemetery/parks and ordinance committees.

**New Business:**

Approve Resolution 1994 – Declaring certain property as surplus and authorizing its disposal.

Mayor Williams read aloud Resolution 1994 and added that this is the second time Mr. Petrusha has come to Council with this request and he deserves the courtesy of an answer, addressing Resolution 1994 will provide an answer.

Councilor Smith **MADE A MOTION** to adopt resolution 1994. Councilor Zimmerman **SECONDED**.

Councilor Taylor stated that he was under the understanding this would be put up for public auction and does not agree with it being a donation. This is City property; therefore, it belongs to the taxpayers and the City should benefit from the sale or disposal of this item.

Councilor Dufficy stated that he agrees with Councilor Taylor and that this building has value and should be auctioned off and taxpayers given back some of their money. Councilor Dufficy brought up that the city does not give away cop cars, they are auctioned off.

Councilor McNew asked if the building was donated would Turner Mountain pay the removal costs.

Tony Petrusa said Turner Mountain would pay the \$1,000 to \$1,500 cost to remove the property.

Councilor McNew said Turner Mountain does a great job for Libby, they bring in revenue to local businesses and he appreciates the work they do and would be in support of something like this.

Councilor Dufficy added that he appreciates what Turner Mountain does but if they really need the building then the city should open it up for bid and allow them to bid on it.

D.C. Orr – Asked how many generators the city has and proposed keeping this as a spare if needed rather than spending money for a new one in the future.

With no further discussion Mayor Williams asked for a vote verbal and show of hands.

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

Councilors Taylor and Dufficy **OPPOSED**.

**MOTION PASSED** by a 4-2 vote. Turner Mountain will receive the generator and building.

Tony Petrusa thanked Council for their support and voiced appreciation for the NAY votes as well as the YES votes. Tony asked to let them know when Turner Mountain can get the property out and the process will be started immediately.

**Approve all Business Licensed received to date:**

Mayor Williams read requests from Pinnacle Home MT, and Shawn Michalkiewicz Construction.

Councilor Smith **MADE A MOTION** to approve all business licenses received to date and Councilor **SECOND**.

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

**MOTION PASSED.**

**Unfinished Business:**

IP Negotiations – Mayor Williams reported no updates at this time.

Noble Excavation request for easement by Sewage Treatment Plant - Councilor Zimmerman noted that it should be Noble Investments not Noble Excavation on the agenda. Councilor Zimmerman continued explaining that a meeting was held to discuss a letter supporting the easement. This letter is being drafted by Noble's people and will be brought to council for approval. There will be more committee meetings to discuss what can be done down the road for possible reimbursement, bridge work, extending water/sewer lines or whatever the city decides.

Mayor Williams stated that this letter would go to legal prior to any decisions by City Council.

**General Comments from Council:**

Mayor Williams announced that the final meeting for the CDBG grant will be held October 25, 2021, at 6:15pm at City Hall, following this meeting will be a meet and greet with Joel Nelson of Land Solutions on the Growth Policy Project. The Planning Board will meet at 7:00pm on the same evening.

**Adjournment:**

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 7:30pm.

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Mayor, Peggy Williams

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Deputy Clerk, Charlotte Luedecke

## UNAPPROVED MINUTES

The City Council held Special Council Meeting #1590 on Monday, October 25, 2021, to adopt Resolution #1996-Application requesting Community Development Block Grant Funds.

### Call to Order:

The meeting was called to order at 6:15pm by Mayor Peggy Williams.

The Pledge of Allegiance was completed, and roll call commenced. Present were Mayor Peggy Williams, Council President Brian Zimmerman, Councilors Gary Beach, Rob Dufficy, Zachariah McNew, Kristin Smith, Hugh Taylor, City Administrator Sam Sikes, and Deputy Clerk Jody Martin.

Mayor Williams welcomed all present.

Mayor Williams introduced Mike Fraser, who gave an overview of the authorizing submission of Community Development Block Grant for \$600,000 to supplement two other grants already received to replace the waste water plant controller and replace 3 critical sections of the sewer main within the city. This resolution certifies that Libby is a legal jurisdiction and can finance wastewater collection improvements that the City of Libby complies with all applicable parts of Title 1 of the Housing and Community Development Act of 1974, all Federal Regulations state Laws and Regulations, and Community Development Facilities. The City of Libby is committing Funds granted in the amount of \$465,000 as matching funds. The Resolution authorizes Mayor Peggy Williams to submit the application on behalf of the City of Libby and provide additional information as needed. There will be a letter committing these funds that the mayor will sign along with any additional information and certifications that are compliant to the Civil Rights Act among others.

Council Discussion followed.

Mayor Williams thanked both Tina Oliphant and Mike Fraser for all their hard work helping Libby to get this submitted on time.

Councilor Zimmerman **MADE A MOTION FOR** to accept Resolution #1996, Councilor Smith **SECONDED**. Councilors Beach, Dufficy, McNew, Smith, Taylor, and Zimmerman voted **FOR**.

### **MOTION PASSED**

### General Comments from Council:

None.

### Adjournment:

Councilor Smith **MADE A MOTION** to adjourn and Councilor Beach **SECONDED**.

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

**MOTION PASSED.**

Mayor Williams adjourned the meeting at 6:23 pm

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Mayor, Peggy Williams

Attest: \_\_\_\_\_

Deputy Clerk, Jody Martin

## UNAPPROVED MINUTES

The City Council held Council Meeting #1591 on Monday, October 25, 2021, in the Council Chambers at Libby City Hall to meet and greet Joel Nelson with Land Solutions.

### Call to Order:

The meeting was called to order at 6:30pm by Mayor Peggy Williams.

The Pledge of Allegiance was completed, and roll call commenced. Present were Mayor Peggy Williams, Council President Brian Zimmerman, Councilors Gary Beach, Rob Dufficy, Zachariah McNew, Kristin Smith, Hugh Taylor, City Administrator Samuel Sikes, and Deputy Clerk Jody Martin.

Mayor Williams introduced Joel Nelson to give a short introduction and answer any questions the Council may have about the process with the City's Growth Plan.

Joel Nelson gave brief overview on Land Solutions Growth Plan progress, goals and objectives. Joel will be meeting with the Planning Board at 7pm on 25 October 2021 and with the shareholders over the next few days.

Councilors Dufficy asked who stockholders were.

Joel Nelson offered a copy of the names following the meeting.

Council discussion followed.

### General Comments from Council:

None.

### Adjournment:

Councilor Smith **MADE A MOTION** to adjourn and Councilor McNew **SECONDED**.

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

**MOTION PASSED.**

Mayor Williams adjourned the meeting at 6:47 pm

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Mayor, Peggy Williams

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Deputy Clerk, Jody Martin



# ORDINANCE 1995

## **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA ZONING CERTAIN PROPERTIES PREVIOUSLY ANNEXED INTO THE CITY TO HIGHWAY COMMERCIAL.**

**WHEREAS** the property described in the attached exhibit was annexed into the city limits of Libby in June 2021; and

**WHEREAS** said property was not assigned a zoning at the time of annexation; and

**WHEREAS** the owners are pursuing HUD tax credits for an assisted living facility; and

**WHEREAS** the property, located along US Highway 2 is appropriate for said use; and

**WHEREAS** assigning the Highway Commercial district to the property is consistent with anticipated uses in this location.

**NOW, THEREFORE**, be it ordained by the City Council of the City of Libby, Montana that the property described as:

Tract 2AAA in NW ¼ SW ¼ NE ¼ Section 4, Township 30 North, Range 31 West, P.M.M., Plat No. 2076.

Be zoned Highway Commercial district as defined in the City's Municipal Code and as shown on the attached exhibit; and

First Reading adopted by the Libby City Council on November 1<sup>st</sup>, 2021.

Second Reading passed and adopted by the Libby City Council on November 15<sup>th</sup>, 2021.

Signed by the Mayor on November 15<sup>th</sup>, 2021.

\_\_\_\_\_  
Mayor Peggy Williams

Attest: \_\_\_\_\_  
City Administrator Samuel Sikes



N 0° 06' 51" W 662.7' **County Road**  
N 0° 06' 51" W 450.15'

**KOOTENAI VALLEY GRANGE**

**NW 4 SW 4 NE 4**  
**Sec. 4 Twp. 30 N., R. 31 W., M.P.M.**  
**3.681 Acres**

WEST 109.0'  
WEST 162.58'  
WEST 124.65'

N 0° 06' 51" W 200.0'

**McGlumphy Survey**

LINCOLN COUNTY, MONTANA.

Section 4, Township 30 North, Range 31 West, Meridian 1798. The NW 4 SW 4 NE 4 corner and the SE corner of this standard subdivision were found in place, set by others. The SE corner was established at the intersection of the center of the north-south centerline of said section and the center of the east-west centerline of said section. The NW 4 SW 4 NE 4 corner was established at the midpoint between the SE corner and a point on the east-west centerline which was shown the center of the section and the center 1/16 corner mark. The center 1/16 corner mark was found to be 100.00 feet instead of the 100.00 feet intended.

An irregular tract of land near Luddy in Lincoln County, Montana, lying wholly within the NW 4 SW 4 NE 4 of Section 4, Twp. 30 N., R. 31 W., M.P.M., containing 3.681 acres, more or less, and more particularly described as follows: Beginning at a steel rod on the north line of the NW 4 SW 4 NE 4 of Section 4, Twp. 30 N., R. 31 W., M.P.M., at a distance of 129.0 feet east of the southeast corner thereof; thence N 0° 06' 51" W, parallel to the north-south centerline of said section 4 a distance of 200.0 feet to a steel rod; thence west 109.0 feet to a steel rod on the east right of way line of the county road; thence north-south, the north-south centerline of Section 4 a distance of 450.15 feet to an intersection with the north-south centerline of the line of U. S. Highway No. 2, which point is 3.681 acres from the southeast corner of said NW 4 SW 4 NE 4; thence along said highway, along said right of way line, S 23° 31' N 405.44 feet to a steel rod on the north line of said NW 4 SW 4 NE 4; thence, along said south line, west 101.16 feet to the point of beginning.

Section 4, Township 30 North, Range 31 West, Meridian 1798.

Scale: 1 inch = 50 feet

June, 1913

2076