



## CITY OF LIBBY

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### REGULAR COUNCIL MEETING #1617

NOVEMBER 21, 2022 @ 7:00PM  
COUNCIL CHAMBERS – CITY HALL

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

- Pledge of Allegiance
- Prayer by Matthew Coblentz
- Roll Call
- Welcome
- Approve City Council #1614 minutes dated October 3, 2022.

#### **ANNOUNCEMENTS:**

#### **COMMITTEE REPORTS:**

- City Administrators Report
- Fire
- Police
- Ordinances
- Lights/Streets/Sidewalks
- Building
- Water/Sewer
- Zoning Commission
- Cemetery/Parks
- Finance
- 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:** The mayor will introduce each new agenda item with a description of the item and an 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. Approve Resolution #2010 amending budget for fiscal year 2021-2022 to reflect actual expenditures.
2. Approve Montana Sky proposal to update City phone system and internet.
3. Approve all Beer, Wine or Liquor Licenses received to date.
  - a. American Legion, 319 California Ave.
  - b. Cabinet Mountain Brewing, 206 Mineral Ave.
  - c. Empire Foods, 1406 Minnesota Ave.
  - d. Lucky Lil's Casino, 200 E. 9<sup>th</sup> St.
  - e. Lucky Logger's Casino, 1313 Minnesota Ave.
  - f. Rosauers, 703 W 9<sup>th</sup> St.
  - g. Switch Back, 1111 9<sup>th</sup> St.
  - h. Town Pump, 1315 Minnesota Ave.
4. Approve all Coin Operated Licenses received to date.
  - a) American Legion, 319 California Ave.
  - b) Rosauers Supermarket, 703 W 9<sup>th</sup> St.
5. Approve all claims received to date.
6. Approve all business licenses applications received to date.
  - a) Suntasic Tanning Salon, 918 Idaho Ave., LLC, Tanning Services.

**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. LOR South Flower Creek/Old Snowshoe Recreation Development Plan.

**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 is 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:** 11/17/22

## **UNAPPROVED MINUTES**

The City Council held Council Meeting #1614 on Monday, October 3, 2022, 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 completed, prayer was by Mark Smith, roll call commenced. Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Zach McNew, Hugh Taylor, Brian Zimmerman, Administrator Samuel Sikes, Clerk-Treasurer Leann Monigold, and (via Zoom) Councilors Kristin Smith, and City Attorney Dean Chisholm.

Mayor Williams welcomed all present.

### **Approve Council Minutes#1610 dated 1 August 2022:**

Councilor Beach **MADE A MOTION** to approve Council Minutes#1610 dated 1 August 2022, and Councilor Berke **SECONDED**.

Councilors Beach, Berke, McNew, Smith, and Zimmerman voted **FOR**. Councilor Taylor abstained to vote.

**MOTION PASSED.**

**Announcements:** None

### **Committee Reports:**

**Administrator:** Administrator Sikes reported new curbing on 8<sup>th</sup> St. by Tungsten has been replaced, City properties are being prepped for winter, playground equipment has been protected for the winter, city wide sprinkler systems have been winterized, Fireman's Park facilities have been closed for the season, Fred Brown Pavilion facilities will close for the season October 11<sup>th</sup>, leaf pickup will start late October or early November, asphalt has been ground and prepared to repave Fire/Police Department, city crew have been maintaining the visibility triangle for shrubs and trees.

Sewer department's underground storage tank is scheduled to be removed October 24<sup>th</sup>, couplers on the blower motors have been replaced, flappers for clarifiers will be replaced, and snow flags are being placed around equipment for winter plowing. Water department will be conducting annual Flower Creek Dam inspection to stay in compliance with DNRC and Rural Water standards.

**Police:** Chief Kessel reported 418 calls in August, 69 crime against persons, 47 property, 96 traffic stops, 141 miscellaneous, 19 car crashes, 15 mental health, 5 DUI, 9 drug, and 17 animal complaints. Hot August Nights was uneventful. The Crown Vic has been repaired and now have a spare patrol car. There were 332 calls in September, 42 crimes against persons, 24 properties, 78 traffic stops, 143 miscellaneous, 8 car crashes, 12 mental health, 1 drug, and 24 animal complaints.

**Zoning/Planning:** Councilor Smith announced the Planning Board will hold a Public Hearing on Growth Policy on October 24th.

**Finance:** Clerk-Treasurer Monigold reported working with MMIA to transition employee Delta Dental policy over to them from Peak One. MMIA coverage will provide \$1000 more in coverage for a \$0.75 increase in cost per month. MMIA is allowing transition midyear to finish our contract with Peak One.

**Public Comment on Non-Agenda Items:** None

**Old Business:** None

**New Business:**

**Approve Creek View Estates Blocks 4 & 5 a one-year preliminary plan extension to July 2, 2023:**

Jesse Hagg, County Planner, stated the original preliminary plat was set to expire July 1, 2022, and submitted an extension request on the 29<sup>th</sup> of June. Sanitation review is still being handled and a change of ownership is the reason for the request along with some revisions to the preliminary plat with the lot layout, adding sidewalks, and lot boundary adjustments.

Mayor Williams asked how the conditions requested in the initial approval were being addressed with the change of ownership and modification. Councilor Smith explained the conditions requested are still included in the document, the extension allows the new owner, Mr. Thompson, one more year to complete all conditions of approval before filing for a final plat.

Councilor Smith inquired if structures could be put outside of the flood plain. Jesse explained 10-15% of property is in the flood plain and fill material could be brought in to bring the structures up out of the flood plan.

Councilor Zimmerman **MADE A MOTION** to approve Creek View Estates Blocks 4 & 5 a one-year preliminary plan extension to July 2, 2023, and Councilor Beach **SECONDED**.

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

**MOTION PASSED.**

**Approve layout modification to Preliminary Plat:**

Councilor Zimmerman **MADE A MOTION** to approve layout modification to Preliminary Plat, and Councilor Beach **SECONDED**.

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

**MOTION PASSED.**

**Rotary Peace Pole:**

George Gerard introduced the Rotary Peace Pole, explaining there are over 240,000 peace poles around the world, and the word "Peace" is written on all four sides in English, Spanish, Norwegian, and French. Mr. Gerard requested be placed somewhere in the city so it is visible to the public. Council discussed the possible locations to have it placed.

Councilor Zimmerman **MADE A MOTION** to approve George Gerard placing the Rotary Peace Pole in the pocket park between Timberline Auto and the City Police Department, and Councilor Smith **SECONDED**.

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

**MOTION PASSED.**

**Approve all claims received to date:**

Councilor McNew **MADE A MOTION** to approve all claims received to date, and Councilor Berke **SECONDED**.

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

**MOTION PASSED.**

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

Ridgeview Adventure Therapy and Counseling Services.

Councilor Beach **MADE A MOTION** to approve all business licenses applications received to date, and Councilor Taylor **SECONDED**.

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

**MOTION PASSED.**

**Unfinished Business:** IP Settlement, Mayor Williams stated a meeting has been scheduled with EPA to meet with the Subcommittee on October 26th.

**General Comments from the Council:** Councilor Zimmerman gave recognition to Leroy Thom and artist Kyra Quinn for a great job completing the three entry signs for the city.

Councilor McNew suggested looking into finishing the mural behind the wings which were placed against the wall in the pocket park where the Rotary had been working with Todd Berget, before his passing several years ago, or placing them in an area with scenery in the background and requesting Council move forward with creating a name for the pocket park.

Mayor Williams announced the request from the Utility Billing Clerk to amend the water rules to allow the City to send electronic notices on delinquent accounts making it more efficient and cost-effective. The new system will allow for electronic notices to be sent and requested it be put into Water/Sewer Committee to look into changing that rule. Councilor Zimmerman accepted the Water/Sewer Committee would look into it the request.

**Adjournment:**

Councilor Berke **MADE A MOTION** to **Adjourn** and Councilor Zimmerman **SECONDED**.

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

**MOTION PASSED.**

Mayor Williams adjourned the meeting at 7:38 PM.

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Mayor Peggy Williams

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Clerk-Treasurer Leann Monigold

**RESOLUTION NO. 2010**

**A RESOLUTION OF THE CITY OF LIBBY, MONTANA, PROVIDING FOR THE AMENDMENT OF THE BUDGET FOR THE FISCAL YEAR 2022.**

**WHEREAS**, the City of Libby, Montana, adopted the Budget for the Fiscal Year of 2022 by Resolution Number 1990.

**WHEREAS**, the City of Libby, Montana, deems it necessary to amend the budget for fiscal year 2022.

**NOW, THEREFORE, BE IT RESOLVED** BY THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA that the budget for Fiscal Year 2021-22 is amended as follows;

- Fund 2820 increase (Gas Tax): \$5,593.47
- Fund 2821 increase (Gas Tax HB473): \$10,922.39

Passed and adopted by the City Council and Mayor of the City of Libby the 21<sup>st</sup> day of November, 2022

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

ATTEST:

\_\_\_\_\_  
Leann Monigold, Clerk/Treasurer





**GET CONNECTED. STAY CONNECTED.**

10/26/2022

## Sales Proposal

City of Libby, MT

Prepared by:

Ryan J Bowman, MontanaSky Networks

And

Chris Selle, MontanaSky Networks

[rbowman@montanasky.net](mailto:rbowman@montanasky.net)

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November 3, 2022

Dear City of Libby:

I wanted to start by giving you my sincere thanks for the wonderful relationship we've had over the years. The entire team at MontanaSky values being a part of this community and takes pride in serving the city government.

We are excited to share this proposal to move the city to VoIP phone lines and upgrade its network equipment and Wi-Fi. We've tried to make the proposal and straight-forward as possible, but also provide enough details for you to make an informed decision.

Please review the proposal and we are happy to answer any questions you may have.

Sincerely

Ryan J Bowman

CEO

MontanaSky Networks, Inc.



## A: Internet Connectivity

MontanaSky requires all VoIP customers to also have a MontanaSky internet connection. MontanaSky is currently providing the City of Libby with complimentary internet at several locations and plans to continue that. Please see list of locations and current status:

### City Hall - 952 East Spruce Street, Libby, MT 59923

- Current Internet: 50 Mb x 50 Mb Cable Internet (Free) – (Account: 8211450010049513)
- Proposed Internet: 500 Mb x 500 Mb Fiber Internet w/ Static IP (\$39.95)

### Fire Dept Main Office - 119 E 6th St, Libby, MT 59923

- Current Internet: 50 Mb x 50 Mb Cable Internet (Free) – (Account: 8211450010048952)
- Proposed Internet: 100 Mb x 50 Mb Cable w/ Static IP (\$29.95)

### Fire Dept Secondary – 609 Mineral Ave, Libby, MT 59923

- Current Internet: 50 Mb x 50 Mb Cable Internet (Free) (Account: 8211450010048952)
- Proposed Internet: 100 Mb x 50 Mb Cable w/ Static IP (\$29.95)

### Police Department - 603 Mineral Ave, Libby, MT 59923

- Current Internet: 50 Mb x 50 Mb Cable Internet w/ Static IP (\$69.67) – (Account: 10056567)
- Proposed Internet: 250 Mb x 50 Mb Cable Internet w/ Static IP (\$99.95)

### Water Treatment Plant - 101 Gilcrease Lane, Libby, MT 59923

- Current Internet: 50 Mb x 50 Mb Cable Internet (Free) – (Account: 8211450020044884)
- Proposed Internet: 100 Mb x 50 Mb Cable w/ Static IP (\$29.95)

### Wastewater Treatment Plant – 755 City Service Road, Libby, MT 59923

- Current Internet: No Montana Sky Internet Installed
- Proposed Internet: 100 Mb x 50 Mb Cable w/ Static IP (\$69.95)

### City Maintenance Shop - 755 City Service Rd.

- Current Internet: No Montana Sky Internet Installed
- Proposed Internet: 100 Mb x 50 Mb Cable w/ Static IP (\$69.95)



## B: Network Upgrades, VoIP Hardware and Service, 1-Time Installation Costs, Contract Term

For VoIP to be reliable, we need to ensure that there is a good network to process all the calls. This is what we propose at each location for the Networking and Phones.

This assumes a total of 13 active calls at any given time across all sites.

Price includes updates and remote phone support for the rented network equipment, as well as replacement of equipment in the event of failure. We will program and install the hardware in your building and ensure it is working properly. If the hardware fails, we will replace it as part of the monthly cost for as long as you have the service. This only covers hardware failures and defects, not damage from an external source such as water, fire, hammers, etc. If equipment is no longer available, we will substitute a similar alternative device.

**Contract Term:** The prices quoted are based on a 36-month contract term. You can read more about contact terms here: <https://www.montanasky.net/msa/>

**Equipment Ownership:** During the contract term (36-months), MontanaSky retains ownership of the hardware. At the conclusion of the contract, your service will continue a month-to-month basis. At that time, the City of Libby will own the equipment; but we can quote a trade-up to new equipment.

**Battery backup(s) are one-time costs and will need to be replaced every few years as they fail. They are not covered under warranty / replacement.**

**VoIP Disclosure:** VoIP operates on the public internet. This means if the internet is not working, phones will also not function. We highly recommend that you keep a backup-phone-service with another provider for mission-critical applications. The FCC has a good article explaining VoIP: <https://www.fcc.gov/consumers/guides/voice-over-internet-protocol-voip>

**VoIP Taxes and Fees** are added to each line. These include TDD, E-911, and Excise taxes charged by the State of Montana. As of this quote, these taxes are approximately \$2.18 per phone line.



### City Hall - 952 East Spruce Street, Libby, MT 59923

- Network Equipment: 1 x Router, 2 x 16 Port Managed POE Switch, 2 x 5 Port Managed Switch, 2 x Indoor Wi-Fi Access Point, 2 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: Phone PBX System (will operate the phone network across the City departments), 6 x VoIP Desk Phone, 1 x VoIP Analog Adapter.
- Numbers to Transfer: 406-293-2731, 406-293-2732, 406-293-4090 (Fax).
- Labor Breakdown: 3 hour(s) for VoIP Configuration, 4 hour(s) for Installation and Cabling.

**Total:**

One-Time Setup Costs: \$2,218.90

Monthly Equipment Costs: \$137.30

Monthly VoIP Service: \$89.85 (3 lines)

Monthly Fax Service: \$9.95

### Fire Dept Main Office - 119 E 6th St, Libby, MT 59923

- Network Equipment: 1 x Router, 1 x 16 Port Managed POE Switch, 1 x Indoor WiFi Access Point, 2 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: 2 x VoIP Desk Phone, 1 x VoIP Cordless Base, 2 x VoIP Cordless Handset, 1 x VoIP Analog Adapter.
- Numbers to Transfer: 406-293-9217, 406-293-3219 (Fax).
- Labor Breakdown: 1 hour(s) for VoIP Configuration, 4 hour(s) for Installation and Cabling.

**Total:**

One-Time Setup Costs: \$1,089.95

Monthly Equipment Costs: \$73.55

Monthly VoIP Service: \$29.95 (1 line)

Monthly Fax Service: \$9.95

### Fire Dept Secondary – 609 Mineral Ave, Libby, MT 59923

- Network Equipment: 1 x Router, 1 x 8 Port Managed POE Switch, 1 x Indoor Wi-Fi Access Point, 1 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: 1 x VoIP Cordless Base, 2 x VoIP Cordless Handset.
- Numbers to Transfer: None (Mirror main fire department).
- Labor Breakdown: 1 hour(s) for VoIP Configuration, 2 hour(s) for Installation and Cabling.

**Total:**

One-Time Setup Costs: \$496.95

Monthly Equipment Costs: \$40.70

Monthly VoIP Service: \$29.95 (1 line)



### Police Department - 603 Mineral Ave, Libby, MT 59923

- Network Equipment: 1 x Router, 1 x 16 Port Managed POE Switch, 1 x 5 Port Managed Switch, 1 x Indoor Wi-Fi Access Point, 1 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: 2 x VoIP Desk Phone.
- Numbers to Transfer: 406-293-3343, 406-293-5222.
- Other: IVR (interactive voice prompts) w/ 7x Voice Mail Boxes.
- Labor Breakdown: 2 hour(s) for VoIP Configuration, 3 hour(s) for Installation and Cabling.

**Total:**

One-Time Setup Costs: \$829.95

Monthly Equipment Costs: \$59.70

Monthly VoIP Service: \$59.90 (2 lines)

### Water Treatment Plant - 101 Gilcrease Lane, Libby, MT 59923

- Network Equipment: 1 x Router, 1 x 16 Port Managed POE Switch, 1 x Indoor WiFi Access Point, 1 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: 3 x VoIP Desk Phone, 1 x VoIP Cordless Base, 3 x VoIP Cordless Handset.
- Numbers to Transfer: 406-293-2067, 406-293-2439
- *Special Note: Retain 1x Ziplly line for redundancy (City is responsible for this).*
- Labor Breakdown: 1 hour(s) for VoIP Configuration, 2 hour(s) for Installation and Cabling.

**Total:**

One-Time Setup Costs: \$639.95

Monthly Equipment Costs: \$83.50

Monthly VoIP Service: \$59.90 (2 lines)

### Wastewater Treatment Plant – 755 City Service Road, Libby, MT 59923

- *Special Note: This includes the **phone and network equipment** for Wastewater Treatment Plant Outbuilding.*
- Network Equipment: 1 x Router, 1 x 8 Port Managed POE Switch, 1 x Indoor WiFi Access Point, 1 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: 2 x VoIP Desk Phone, 1 x VoIP Cordless Base, 1 x VoIP Cordless Handset.
- Numbers to Transfer: 406-283-2775, (Outbuilding number TBD)
- Labor Breakdown: 1 hour(s) for VoIP Configuration, 6 hour(s) for Installation and Cabling

**Total:**

One-Time Setup Costs: \$1,136.95

Monthly Equipment Costs: \$92.55

Monthly VoIP Service: \$29.95 (2 lines)



### City Maintenance Shop - 755 City Service Rd.

- Network Equipment: 1 x Router, 1 x 8 Port Managed POE Switch, 1 x 16 Port Managed POE Switch, 1 x 5 Port Managed Switch, 3 x Indoor Wi-Fi Access Point, 2 x Outdoor Wi-Fi Access Point, 1 x Battery Backup, 1 x Battery Backup, misc. mounting hardware, cables, and supplies.
- VoIP Equipment: 1 x VoIP Desk Phone, 1 x VoIP Cordless Base, 1 x VoIP Cordless Handset, 1 x VoIP Analog Adapter.
- Numbers to Transfer: 406-293-2776, 406-293-2555, 406-293-3460 (Fax)
- Labor Breakdown: 1 hour(s) for VoIP Configuration, 2 hour(s) for Installation and Cabling

**Total:**

One-Time Setup Costs: \$689.90

Monthly Equipment Costs: \$95.45

Monthly VoIP Service: \$59.90 (2 lines)

Monthly Fax Service: \$9.95

### Numbers Not Transferring

After everything is ported (moved from Zply to MontanaSky), the city will need to work with the old provider to cancel any numbers they wish to. Numbers that are ported are generally automatically cancelled, but the city should carefully review their bills.

- 406-293-2145 - City Hall Councilors (un-used)
- 406-293-6792 - Wastewater Fax (un-used)
- 406-293-2231 - Water treatment Alarm/callout
- 406-293-3981 - City Hall Alarm/callout
- 406-293-2314 - Wastewater Golf course Alarm/callout
- 406-293-8210 - Wastewater Alarm/callout



## C: Totals

### All Locations Combined

#### **Network Equipment:**

7 x Routers,  
4 x 5 Port Managed Switch,  
6 x 16 Port Managed POE Switch,  
3 x 8 Port Managed POE Switch,  
10 x Indoor WiFi Access Point,  
2 x Outdoor WiFi Access Point,  
10 x Battery Backup (UPS),  
Misc mounting hardware, cables, etc.

#### **VoIP Equipment:**

1x Phone PBX  
3 x VoIP Analog Adapter,  
16 x VoIP Desk Phone,  
5 x VoIP Cordless Base,  
9 x VoIP Cordless Handset,

#### **Labor Breakdown:**

10 hour(s) for VoIP Configuration,  
23 hour(s) for Installation and cabling

#### **Total:**

Setup Costs: \$7,102.55/1-Time  
Equipment Rental/Maintenance/Support: \$582.75/Mo  
Monthly Internet Service: \$369.65  
Monthly VoIP Service: \$389.25

**Monthly Fee Total: \$1,341.65**





## By Department

### City Hall

Set-Up Fee (One-Time): \$2,218.90

Total Recurring Charge: \$277.05

### Fire Department

Set-Up Fee (One-Time): \$1,586.90

Total Recurring Charge: \$244.00

### Police Department

Set-Up Fee (One-Time): \$829.95

Total Recurring Charge: \$219.55

### Water Treatment Department

Set-Up Fee (One-Time): \$639.95

Total Recurring Charge: \$173.35

### Wastewater Treatment Department

Set-Up Fee (One-Time): \$1136.95

Total Recurring Charge: \$192.45

### Maintenance Department

Set-Up Fee (One-Time): \$689.90

Total Recurring Charge: \$235.25