



CITY OF LIBBY

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REGULAR COUNCIL MEETING #1625

MARCH 20, 2023 @ 7:00PM

COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Prayer by Mark Smith
- Roll Call
- Welcome
- Approve City Council meeting #1624 minutes dated March 6, 2023.

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 all claims received to date.
2. Approve all business license applications received to date.
 - a) MNTNCAT Massage LLC, 412 Mineral Ave., WA., LLC, Massage Therapy.

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.

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: 3/16/23

UNAPPROVED MINUTES

The City Council held Council Meeting #1624 on Monday, March 6, 2023, 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 and roll call commenced. Present were Mayor Williams, Councilors Gary Beach, Melissa Berke, Brian Zimmerman, Administrator Sam Sikes, Clerk-Treasurer Leann Monigold, and (via Zoom) Councilor Kristin Smith and City Attorney Dean Chisholm.

Mayor Williams welcomed all present.

Approve City Council meeting #1623 minutes dated February 21, 2023:

Councilor Beach **MADE A MOTION** to approve City Council meeting #1623 minutes dated February 21, 2023, and Councilor Berke **SECONDED**.

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

MOTION PASSED.

Mayor Williams announced Mike Fraser has requested that we have a public hearing regarding a project at the Wastewater that includes the replacement of three mains and a new control system for the Wastewater. A portion of the plant falls within the 100-year flood plain and will require we have a public hearing that will be scheduled for March 20th at 6:30.

Jennifer Nelson and April Rainey are organizing a pruning of our city trees the 24th or 25th of March working with the Society of American Foresters to help prune the trees at Riverfront Park, around the Police Department, and any other locations that might be needed. April 28th, Arbor Day, making plans to plant 8 trees to replace some that were lost in Fireman's Park, Riverfront Park, and 2 maple trees lost on Lincoln Blvd. The ash trees by Timberline will be sprayed for aphids and scaling and give them one more summer to see how they do before making a final decision to cut them or not.

Committee Reports:

Administrator: Administrator Sikes reported for the Sewer Department the first financial draw is being processed for the auxiliary bar screen, once delivered the 60-day clock will begin for project completion. An annual maintenance schedule and flow chart has started and will assist in tracking required maintenance and issues with the plant and help with the Preliminary Engineering Report in the future.

For the Water Department the engineering for the Cabinet View water main replacement is almost completed and should be with the DEQ for approval in the next 2 weeks. USDA-RA has agreed to work with the city on releasing monies from the asset replacement funds to complete the project with cash instead of loans. The Preliminary Engineering Report is almost completed and will identify several projects within the water system that will need repaired or replaced within the next ten years to avoid failure of the system. Changes for the BARSAA are up for debate with the State Senate, the new bill would eliminate passing resolutions, providing local matches, reallocating funds, or completing reports on projects and would just be added the other monthly fuel tax allocation funds received.

The Fireman's Park Playground equipment is being purchased and is waiting to hear from Play Co. the installation group to schedule constructions. Zero – Five and LOR will process reimbursement to the city for their portion of the project. The lighting project on Commerce Way will be moving forward once the snow melts and Streets crew will coordinate with FEC and TCI to get the project completed.

Street Supervisor Report: Justin Williams reported the Waste Water Treatment Plant has replaced the bearings on the bar screen and a water leak was discovered outside the head works building on the water line that supplies fresh water to the pressure tank and has been repaired.

Christmas wreathes have been taken down with help from Manahan Furniture and Montana Sky. Streets Crew have been patching potholes, jetting lines and washing down manholes and lower deck to minimize buildup and ensure flow.

The camera truck has been out inspecting sewer mains, looking for cracks, breaks, damage, sediment, and overall integrity. A service line on Louisiana Ave has been replaced from structure to the main. Still waiting on fire hydrant repair kits for hydrant repairs but are on back order.

There have been reports of vandalism to the fencing that stretches across the river on the old haul bridge, the damages have caused the fence to sag outward and looks to be a safety issue. Repairs will be made to bring it up to standards but the city may want to think about different options in the future because of all the previous vandalisms may become a serious safety issue.

Parts have been made or purchased to complete repairs to the snow blower and jet truck. Repairs are being made on the Bobcat skid steer to be repowered and the tracks are being replaced and the County has given a Sterling dump truck to the City so minor repairs are being made to get it operational.

Police: Mayor Williams announced the City has not yet received the report for the investigation of the Chief of Police.

Sgt. Buckner reported for the month of February there were 135 cases, many thefts around town. Officer Brabo and Sgt. Buckner attended criminal interdiction training put on by Desert Snow. The police department is currently focused on getting the IBR (Incident Based Reporting) submitted to be eligible for State and Federal funding.

Zoning/Planning: Councilor Smith announced an Ordinance Committee meeting was held on March 2nd and made progress on rectifying conflicting language about the Vision Triangle and agreed on a definition for Yard Sale, those items will be presented to Council in the near future.

Zoning Commission met Tuesday, February 28th, and continued work on recommended changes to Residential B district using primarily the recommended changes from Residential A as the bases of the changes then proceed from there. The next meeting will be on March 27th.

Finance: Clerk-Treasurer Monigold reported the annual insurance audit with MMIA was conducted in February to make sure all of the vehicles and equipment information is up to date and with the help of Street Supervisor Justin Williams double checking what was currently listed and Mike Rovang taking pictures of the City's vehicles and equipment the insurance listings were updated and received a call from MMIA to verify the changes. She gave the City kudos for doing such a thorough job with the updates.

Public Comment on Non-Agenda Items:

DC Orr, 1117 Nevada Ave., expresses his opinion on the current investigation of the Police Chief and spoke about his experiences during his court case.

New Business:

Mayor Williams explained the definition of the Police Commission and what their duties are.

Approve appointment of John BeBee to Police Commission:

Mr. BeBee introduced himself and explained his reasons for interest in joining the Police Commission.

Councilor Zimmerman **MADE A MOTION** to appointment of John BeBee to Police Commission and Councilor Berke **SECONDED**.

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

MOTION PASSED.

Approve appointment of Karen Dinkins to Police Commission:

Ms. Dinkins introduced herself and explained her reasons for interest in joining the Police Commission.

Councilor Zimmerman **MADE A MOTION** to appointment of Karen Dinkins to Police Commission and Councilor Berke **SECONDED**.

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

MOTION PASSED.

Approve appointment of Steven Boyer to Police Commission:

Mr. Boyer introduced himself and explained his reasons for interest in joining the Police Commission.

Councilor Zimmerman **MADE A MOTION** to appointment of Steven Boyer to Police Commission and Councilor Berke **SECONDED**.

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

Public Comment:

DC Orr, 1117 Nevada Ave., Congratulated all three candidates and explained other duties of a Police Commission.

Approve all claims received to date:

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

Public Comment:

DC Orr, 1117 Nevada Ave., inquired if there were any claims from the LCSO or the defense attorney. There were none.

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

MOTION PASSED.

Approve all business license applications received to date:

Apollo Mechanical Contractors, Lee's Services, and Yellow Butterfly Services LLC.

Councilor Zimmerman **MADE A MOTION** to approve all claims received to date and Councilor Beach **SECONDED**.

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

MOTION PASSED.

Unfinished Business:

IP Settlement: Mayor Williams announce the EPA did cancel the scheduled meeting and working on rescheduling a date.

General Comments from the Council:

Councilor Zimmerman wanted to thank the people that put in an application for the Police Commission and thank those appointed.

Councilor Smith commented that people have different opinions but the newly formed Police Commission will be under the direction and take guidance from the City Attorney and the Mayor and thanked them for applying and glad it is moving forward.

Adjournment:

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

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

MOTION PASSED.

Mayor Williams adjourned the meeting at 7:40 PM.

Mayor Peggy Williams

Clerk-Treasurer Leann Monigold