

# CITY OF LIBBY

952 E. SPRUCE | POST OFFICE BOX 1428

PHONE 406-293-2731 | FAX 406-293-4090 | WEBSITE: [www.cityoflibby.com](http://www.cityoflibby.com)



## REGULAR COUNCIL MEETING #1647

FEBRUARY 20, 2024 @ 7:00 PM

COUNCIL CHAMBERS – CITY HALL

### **CALL TO ORDER:**

- Pledge of Allegiance
- Prayer by Joseph Miller
- Roll Call
- Welcome
- Approve City Council meeting #1646 minutes dated February 5, 2024.

### **ANNOUNCEMENTS:**

### **COMMITTEE REPORTS:**

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

1. Libby Loft LLC request for Community Development Funds.
2. Historic Hotel Libby, update, support letter request.

**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 Jennifer Nelson to Planning Board/Zoning board term ending 1-26.
2. Approve Dr. Roberta McCanse to Planning Board/Zoning board for term ending 3-26.
3. Appoint Christian Montgomery to Planning Board/Zoning board for term ending 1-25.
4. Approve Ordinance #2010, an ordinance to amend Title 10, Chapter 52, Section 35-General Parking Regulations-Second Reading.
5. Approve all claims received to date.
6. Approve all business license applications received to date.
  - a) Libby Empire Foods LLC, 1406 Minnesota Ave., LLC, Grocery store.
  - b) T's Cleaning, 67 Reese Ct., Individual, Home cleaning service.
  - c) Quartz Mountain Plumbing and Mechanical LLC, 274 Abby Rd., LLC., Plumbing and mechanical.

**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.

Update to Libby Development Fund Policy and application process.

**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:** 2/15/24

February 7, 2024

The Lincoln County Board of Commissioners met for a regular session on February 7, 2024 in the Lincoln County Courthouse, Libby, Montana. Present were Commissioner Teske and Commissioner Hammons.

Meeting allows for Zoom participation. Present online were Rebecca Nelson, Ray Stout, Michelle Byrd, Chanel Geer, Jesse Haag, Jerry Reigh, Scott Shindledecker, DJ Welch and Darren Short.

Commissioner Teske opened the meeting with the **Pledge of Allegiance**.

10:00 AM Commissioner Teske advised that Commissioner Letcher was absent, and by resolution, a temporary presiding officer needs to be established. **Motion** by Commissioner Hammons to appoint Commissioner Teske today's chair in the absence of Commissioner Letcher. Second by Commissioner Teske. No comments. Motion carried.

10:00 AM **USFS**: No Forest Service attendance. Present were Mark Peck, Veronica Bovee-Anderson and Joe Nagle.

10:30 AM **Administrative Issues/Old Business: Approve Minutes / Reappoint Jennifer Nelson to City of Libby Planning Board / Resolution 2024-09 Election Question of Establishing Local Government Review Study Commission**: Present were Veronica Bovee-Anderson and Joe Nagle.

- Review of January 29, 2024 Local Government Study Commission meeting minutes for approval: **Motion** to approve the January 29, 2024 minutes by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- Review of January 31, 2024 regular meeting minutes for approval: **Motion** to approve the January 31, 2024, minutes by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- Review of February 1, 2024 Compensation Committee meeting minutes for approval: **Motion** to approve the February 1, 2024 Compensation Committee minutes by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried.
- Commissioner Teske read a letter from the Mayor of the City of Libby, Peggy Williams, requesting Jennifer Nelson be redesignate as a county appointee to the City of Libby Planning/Zoning Board for an additional term expiring January 2026. **Motion** by Commissioner Hammons to reappoint Jennifer Nelson to the Planning Board per the City of Libby Mayor Peggy Williams request. Second by Commissioner Teske. No comments. Motion carried.
- Commissioner Teske read Resolution 2024-09, calling for an election on the question of conducting a local government review and establishing a study commission to be held with the primary election on June 4, 2024. **Motion** to approve Resolution 2024-09 by Commissioner Hammons. Second by Commissioner Teske. Veronica inquired if this will be on the ballot. Commissioner Teske confirmed this resolution will move it to the ballot and municipalities are taking similar actions for their government review. Veronica asked if this has been done before. Commissioner Teske stated it is done every 10 years per the Montana constitution. No comments. Motion carried.
- Commissioner Hammons advised on providing more information for the grant application for restrooms and trail maintenance at Kootenai Falls, adding the state will install new signage on the highway for the park and parking lot.

10:45 AM **Public Comment Time**: Present were Veronica Bovee-Anderson and Joe Nagle.

Joe Nagle, Lincoln County's Maintenance Director, provided an update on the courthouse boiler system, highlighting the 1978 model potable hot water boiler has developed a leak in its tank. Additionally, a second boiler for the building's heating system is also from 1978, exceeding its expected lifespan. Joe stressed the critical location of these systems, being on top of the courthouse building. Joe has been advised not to look at repairing the boilers at this stage but to replace the system. He stated locally, there were no companies equipped to handle such a commercial-scale job. After expanding the search, Carson Brothers, part of Comfort Systems USA in Kalispell, agreed to assess the situation and provided a bid for replacement. Joe stated with no other contenders for the job, there weren't multiple bids available for comparison. Their bid for replacing the leaking boiler for potable hot water is \$73,112, considering the necessity of a crane and associated manpower for the rooftop installation. Joe adding replacing both boiler systems at once ( $73,112 \times 2 = \$146,224$ ) would result in a financial savings of \$10,000-\$12,000. Joe also mentioned conducting a comparative study of water usage between Libby City Hall, who uses a different system, and county facilities, noting the county consumes twice as much water, ranging from 72,000 to 165,000 gallons. Comfort Systems confirmed their capability to handle city's type of system and Joe provided additional insights such as it would necessitate hiring a hydrologist and engineer as well as mapping out the building's plumbing. Joe advised a potential cost-saving measure could result from removing two building circulation pumps from the bid as they are currently not used. Commissioner Teske inquired about the life expectancy of the proposed new system. Joe will find out and this will be revisited. No public comments.

11:00 AM **Policy Manual Update (B. Rest Breaks) – Dallas Bowe**: Present was Veronica Bovee-Anderson.

Dallas Bowe, Human Resources, presented a policy manual update, indicating that the wording regarding rest breaks needed to be updated in accordance with the Montana Department of Labor, making it optional rather than mandatory as per the law. **Motion** to approve the changes to Section B. Rest Breaks by Commissioner Hammons. Second by Commissioner Teske. No comments. Motion carried. Dallas provided a copy of the employee acknowledgment form that will be distributed and discussed the policy manual revision process.

February 6, 2024

Mayor Peggy Williams, Mayor  
952 Spruce St.  
Libby, Mt. 59923

Mayor Williams,

I would like to extend my appointment to the Libby Planning and Zoning Boards. Having served for six years I have learned a great deal about political procedure and about public opinion regarding the ways in which our citizens would like to see Libby grow. As I am sure that my education is far from complete I would like to continue as an active member of both boards.

Thank you for your attention to my request.

Respectfully,

A handwritten signature in cursive script, appearing to read "R. McCanse". The signature is written in dark ink on a white background.

Roberta McCanse



**ORDINANCE NO. 2010**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA  
AMENDING TITLE 10, CHAPTER 52, SECTION 35 “GENERAL PARKING  
REGULATIONS”**

**WHEREAS** the City of Libby has ordinances that govern on-street parking, specifically during winter months; and

**WHEREAS** the City of Libby Police Department has, heretofore, been the sole authority to issue parking citations; and

**WHEREAS** the City Streets Department is responsible for plowing the city streets during winter months; and

**WHEREAS** to make more efficient use of City staff’s time, it is in the City’s interest to authorize other city staff to issue citations so that streets may be plowed in a timely manner.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Libby, Montana the following changes to Title 10, Chapter 52 are hereby adopted:

**Chapter 10.52.035 GENERAL PARKING REGULATIONS**

New subsection:

M. Parking regulations will be enforced by the Libby Police Department and other authorized designees.

This Ordinance is effective thirty (30) days after its adoption by the City Council of the City of Libby, Montana, and signing by the Mayor thereof.

**FIRST READING** and approved by City Council on the 5th day of February 2024.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LIBBY,  
MONTANA** on this 20th day of February 2024.

Attest:

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Peggy Williams, Mayor

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Leann Monigold, Clerk/Treasurer