



CITY OF LIBBY

952 E. SPRUCE | POST OFFICE BOX 1428

| PHONE 406-293-2731 | FAX 406-293-4090 | WEBSITE: www.cityoflibby.com

REGULAR COUNCIL MEETING #1584

SEPT 7TH, 2021 @ 7:00PM

COUNCIL CHAMBERS – CITY HALL

CALL TO ORDER:

- Pledge of Allegiance
- Roll Call
- Welcome
- Prayer offered by Benjamin Girod.
- Approve City Council Minutes #1580 dated 16 Aug 2021, Public Hearing dated 23 Aug 2021, Special Meeting #1581 dated 23 Aug 2021, Special Council Meeting #1582 dated 23 Aug 2021, and Special Council Meeting #1583 dated 30 Aug 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. Following council discussion on each item will be an opportunity for public comment prior to any action taken. Public comment is limited to 3 minutes.

1. American Legion Auxiliary #95, Statue in cemetery repair. (Tabled)

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

1. Introduce request for Lower Reservoir sampling building purchase or donation.
2. Introduce Noble Excavation request for easement by Sewage Treatment Plant.
3. Adopt Resolution 1993 – Authorization to submit Montana Coal Endowment Program (MCEP) Infrastructure Planning Grant Application - Mike Fraser.
4. Approve street closure on 15 September for Timberline Auto from 8:30 to 11:00 am.
5. Adopt Resolution 1987 – Requesting distribution of Bridge and Road Safety and Accountability Program funds.
6. Adopt Resolution 1989 – Fixing the Annual Appropriations for FY-22.
7. Adopt Resolution 1990 – Setting the Tax Levy for FY-22.
8. Adopt Resolution 1991 – Setting the city salaries and wages for FY-22.
9. Ordinance 1992 – Zoning changing for properties in Cabinet Heights neighborhood (Cabinet View Golf Club).
10. Approve all business licenses received to date.
 - a. Amanda Steele, Individual, 1312 Montana, Home cleaning and sitting.
 - b. Familiar Raven, LLC, 145 Spencer, Arts and Crafts sales.
 - c. First Choice Cleaning Services, LLC, 310 West Flower St., Commercial and residential cleaning.
 - d. MT Washing, LLC, 713 Wisconsin, Power washing services.
 - e. Ward Enterprises, LLC, 362 Vanderwood, Hauling, grading, dirt work.
 - f. Wild Woods Inc. of Libby, LLC, 108 E. 9th St., Personal care products, cosmetic injections.
11. Approve Payroll and Claims for August 2021.

UNFINISHED BUSINESS:

1. IP negotiations.

GENERAL COMMENTS FROM COUNCIL:

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 be 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: 09/2/21

PETTY 66		GIBBS 58	
1 ALMER 76	RICHARD J. 76	1 FRANCIS A. 50	CLIFFORD N. 7
FJESETH 1A	MERRICK 76	NOLA YOUNG 80	FRED GIESE 77
2 JOAN G. 76	HOWARD 76	2 ALFRED 77	JAMES P. 74
MC EWEN 58	WELCH 76	SEUSBERGEN 77	BAKER 83
1 DUNCAN 66	WILLIAM J. 58	1 ROBERT W. 53	EDGAR E. 53
2 BOKO L. 63	VAUGHN JR. 63	BROWN 51	DUPUCE 53
SALMONSON 8	SHEERWOOD 7	2 JOSEPH 53	JOSEPH 53
3 THOMAS 63	THOMAS 63	WALLACE 53	WALLACE 53
4 JAMES 62	BANFIELD 63	3 JESSE JOHN EARL R. 7	EARL R. 7
MUKKEY 81	RICHARD 64	EGAN 53	DEY 53
1 THADDEUS 81	JAMES LEE 64	4 SIGWARD 53	VALENTINE 8
5 KRZES 81	THEODORE 81	WATTEN 53	VALDEZ 54
2 DONALD 83	WACKERMAN 81	1 THOMAS J. 81	RAY MAIDEN 18
9. FRENCH 83	EDGAR 83	MATLAS 81	RAY MAIDEN 18
1 ARTHUR 61	THOMSON 83	2 JOEL 81	GORDON 74
KEMP 61	EDWARD 65	JOSEPH 81	NELSON 84
2 MARY 67	AGNES 60	1 VERNON 81	GUY E. 5
WILLIAM 58.	JOHNSON 82	C. FRIED 81	WALLASTON 5
MC CONNELL 9	WILLIAM 60	2 U.S. TILPAS. 81	MARICE J. 4
3 ARLEN S. 61	ALBERT 60	STEVE YARN 67	POST 77
FOLSON 61	LARLONE 60	3 DONOVAN 68	SAM 70
4 JOHN LOUICK 61	GEORGE 61	ABRAHAMSON 68	VALENTIAN 8
TRITTADIK 61	MILLER 61	4 ROY 69	GEORGE 70
1 IMER C. 85	CLAYTON 84	HAMILTON 84	BEEKS 70
PEDERSON 9A	SIMONSON 84	1 MONA 84	FLOYD 83
2 MERLIN 84	ROBERT 84	KASTNER 10A	SIMONSON 83
AINESS 85	HINTZ 84	2 DONALD 84	JESSE A. 7
1 GEORGE 62	FRANK 62	P. CARROLL 84	HUNT 84
WIEDEMAN 62	SWEET 62	1 CHARLES R. 84	ADOLPH 85
2 ALBERT B. 63	RAYMOND 63	RHEA 70	E. FOSJORD 70
SENN 71	SEIGMOND 63	2 ROBERT V. 70	JOSEPH 71
3 JAMES L. 65	STEVE 65	ANDERSON 70	STANEUK 71
CROTTEAU 71	CAGAWAY 71	3 DAVID 70	WILLIARD S. 7
4 JAMES 71	ORVILLE 71	CRIBE 70	SHEPARD 70
BANE 71	MURRY 71	4 DAL R. 70	GORDON 8
1 ROY 88	FRANK 86	MORAN 70	DISNEY 71
APLINS 10A	FEIST 86	1 LESTER 85	JOHN S. 86
2 ORPHA 86	FRANK 86	DAVIS 85	SMITH 86
9 ARNOLD 86	DANNY JOE 86	2 ALBERT 86	ROLLAND 7
1 SMITH 86	SMITH 86	MANSKE 86	DENDOWH 86
CLARK 7	19 KAYD 86	1 WALTER 71	HAROLD 82
2 LUND 8	BECKER 86	RUBIN NELSON 71	PETERSON 82
3 LIGAS 8	NELSON 86	2 CALVIN 72	REU. WYMAN L. 6
EDWARDS 9	EDWARDS 86		

O = STATUE LOCATION

RAY MAIDEN IS HEADSTONE ONLY.

MACEY 50		EBLEN 51	
1 FRANCIS A. 50	CLIFFORD N. 7	1 ALFRED 77	JAMES P. 74
NOLA YOUNG 80	FRED GIESE 77	SEUSBERGEN 77	BAKER 83
2 ALFRED 77	JAMES P. 74	1 ROBERT W. 53	EDGAR E. 53
SEUSBERGEN 77	BAKER 83	BROWN 51	DUPUCE 53
1 ROBERT W. 53	EDGAR E. 53	2 JOSEPH 53	JOSEPH 53
BROWN 51	DUPUCE 53	WALLACE 53	WALLACE 53
2 JOSEPH 53	JOSEPH 53	3 JESSE JOHN EARL R. 7	EARL R. 7
WALLACE 53	WALLACE 53	EGAN 53	DEY 53
3 JESSE JOHN EARL R. 7	EARL R. 7	4 SIGWARD 53	VALENTINE 8
EGAN 53	DEY 53	WATTEN 53	VALDEZ 54
4 SIGWARD 53	VALENTINE 8	1 THOMAS J. 81	RAY MAIDEN 18
WATTEN 53	VALDEZ 54	MATLAS 81	RAY MAIDEN 18
1 THOMAS J. 81	RAY MAIDEN 18	2 JOEL 81	GORDON 74
MATLAS 81	RAY MAIDEN 18	JOSEPH 81	NELSON 84
2 JOEL 81	GORDON 74	1 VERNON 81	GUY E. 5
JOSEPH 81	NELSON 84	C. FRIED 81	WALLASTON 5
1 VERNON 81	GUY E. 5	2 U.S. TILPAS. 81	MARICE J. 4
C. FRIED 81	WALLASTON 5	STEVE YARN 67	POST 77
2 U.S. TILPAS. 81	MARICE J. 4	3 DONOVAN 68	SAM 70
STEVE YARN 67	POST 77	ABRAHAMSON 68	VALENTIAN 8
3 DONOVAN 68	SAM 70	4 ROY 69	GEORGE 70
ABRAHAMSON 68	VALENTIAN 8	HAMILTON 84	BEEKS 70
4 ROY 69	GEORGE 70	1 MONA 84	FLOYD 83
HAMILTON 84	BEEKS 70	KASTNER 10A	SIMONSON 83
1 MONA 84	FLOYD 83	2 DONALD 84	JESSE A. 7
KASTNER 10A	SIMONSON 83	P. CARROLL 84	HUNT 84
2 DONALD 84	JESSE A. 7	1 CHARLES R. 84	ADOLPH 85
P. CARROLL 84	HUNT 84	RHEA 70	E. FOSJORD 70
1 CHARLES R. 84	ADOLPH 85	2 ROBERT V. 70	JOSEPH 71
RHEA 70	E. FOSJORD 70	ANDERSON 70	STANEUK 71
2 ROBERT V. 70	JOSEPH 71	3 DAVID 70	WILLIARD S. 7
ANDERSON 70	STANEUK 71	CRIBE 70	SHEPARD 70
3 DAVID 70	WILLIARD S. 7	4 DAL R. 70	GORDON 8
CRIBE 70	SHEPARD 70	MORAN 70	DISNEY 71
4 DAL R. 70	GORDON 8	1 LESTER 85	JOHN S. 86
MORAN 70	DISNEY 71	DAVIS 85	SMITH 86
1 LESTER 85	JOHN S. 86	2 ALBERT 86	ROLLAND 7
DAVIS 85	SMITH 86	MANSKE 86	DENDOWH 86
2 ALBERT 86	ROLLAND 7	1 WALTER 71	HAROLD 82
MANSKE 86	DENDOWH 86	RUBIN NELSON 71	PETERSON 82
1 WALTER 71	HAROLD 82	2 CALVIN 72	REU. WYMAN L. 6
RUBIN NELSON 71	PETERSON 82		
2 CALVIN 72	REU. WYMAN L. 6		

MARTIN 66		3A	
1 MARLENE 48	JOHANNAS 5	2 OTTO 57	ROSS SIEFFKE 7
MR. SEIFFKE 48	E. SIEFFKE 43	3. FIVE DIRT 57	ARTENCY 7
2 OTTO 57	LEONARD 73	SIEFFKE 57	M. LARSON 57
MR. SEIFFKE 48	E. SIEFFKE 43	4 CAROL JANE 58	WILLIAM 57
1 MARLENE 48	JOHANNAS 5	SIEFFKE 57	LARSON 57
2 MERLE 48	MARY 44	1 SIEFFKE 58	LARSON 57
LARSON 48	WANDERWOOD 49	2 MERLE 48	MARY 44
3 JEROME 49	THEODORE 7	1 SIEFFKE 58	WILLIAM 57
J. COMPIEAU 49	COMPEAU 49	2 MERLE 48	MARY 44
4 NICOLENA 49	COMPEAU 49	3 JEROME 49	THEODORE 7
COMPEAU 49	COMPEAU 49	J. COMPIEAU 49	COMPEAU 49
1 JEROME 87	ROSE 88	4 NICOLENA 49	COMPEAU 49
LEONUM 87	LEONUM 87	COMPEAU 49	COMPEAU 49
2 FLORENCE 87	TALBOUR 87	1 JEROME 87	ROSE 88
LEONUM 87	LEONUM 87	LEONUM 87	LEONUM 87
1 JOHN 67	THOMAS 49	2 FLORENCE 87	TALBOUR 87
LEONUM 67	BURNSON 49	LEONUM 87	LEONUM 87
2 OLENE B. 58	BRYAN E. 71	1 JOHN 67	THOMAS 49
LEONUM 58	JORDAN 71	LEONUM 67	BURNSON 49
3 EMMET S. 71	DONALD 71	2 OLENE B. 58	BRYAN E. 71
WILLASTON 71	MYER 71	LEONUM 58	JORDAN 71
4 LUCY L. 76	MONTE A. 8	3 EMMET S. 71	DONALD 71
VARTANIAN 76	PETTIT 75	WILLASTON 71	MYER 71
1 MARGARET 81	DAVIS 81	4 LUCY L. 76	MONTE A. 8
DAVIS 81	DAVID L. 7	VARTANIAN 76	PETTIT 75
2 MORRIS 78	WILLIAMS 78	1 MARGARET 81	DAVIS 81
E. DAVIS 78	WILLIAMS 78	DAVIS 81	DAVID L. 7
1 ARDIE 51	JOHN L. 51	2 MORRIS 78	WILLIAMS 78
ANTHONY 51	THOMPSON 51	E. DAVIS 78	WILLIAMS 78
2 LEONARD 51	PHOEBE 51	1 ARDIE 51	JOHN L. 51
		ANTHONY 51	THOMPSON 51
		2 LEONARD 51	PHOEBE 51

Samuel Sikes

From: Tony Petrusha [REDACTED]
Sent: Tuesday, August 31, 2021 5:23 PM
To: Samuel Sikes; Peggy Williams; Jim Hammons
Cc: [REDACTED]
Subject: Permanganate Sampling Building

All;

The City owns a 12' x 16' building located at the lower Flower Creek dam that was once used for water sampling. The need for this sampling no longer exists and the building is 'surplus'. I have been told the building contains a generator and a set of batteries to supply power to the sample system, which has been dormant for several years.

Kootenai winter sports (Turner Mtn) is in need of a generator, batteries and a building to house them that we can use to power our Weather station, base radios and computer network, these services are used for operations, and public access to conditions on the mountain. I am not sure if the generator and batteries are adequate for our needs or if they are functional, but with some attention and repairs we could make it work.

Some points of consideration:

1. Is the city ready to part with this equipment?
2. Do property disposal guidelines allow it to be donated to a legitimate 501(c)(3) entity? Such as KWS.
3. If it cannot be donated and must be sold, what is your asking price?
4. Estimated relocation cost to the mountain is \$1,500 plus site preparation costs.

I will attend the City Council meeting on September 7th to present this item and answer any questions you may have.

Best Regards,

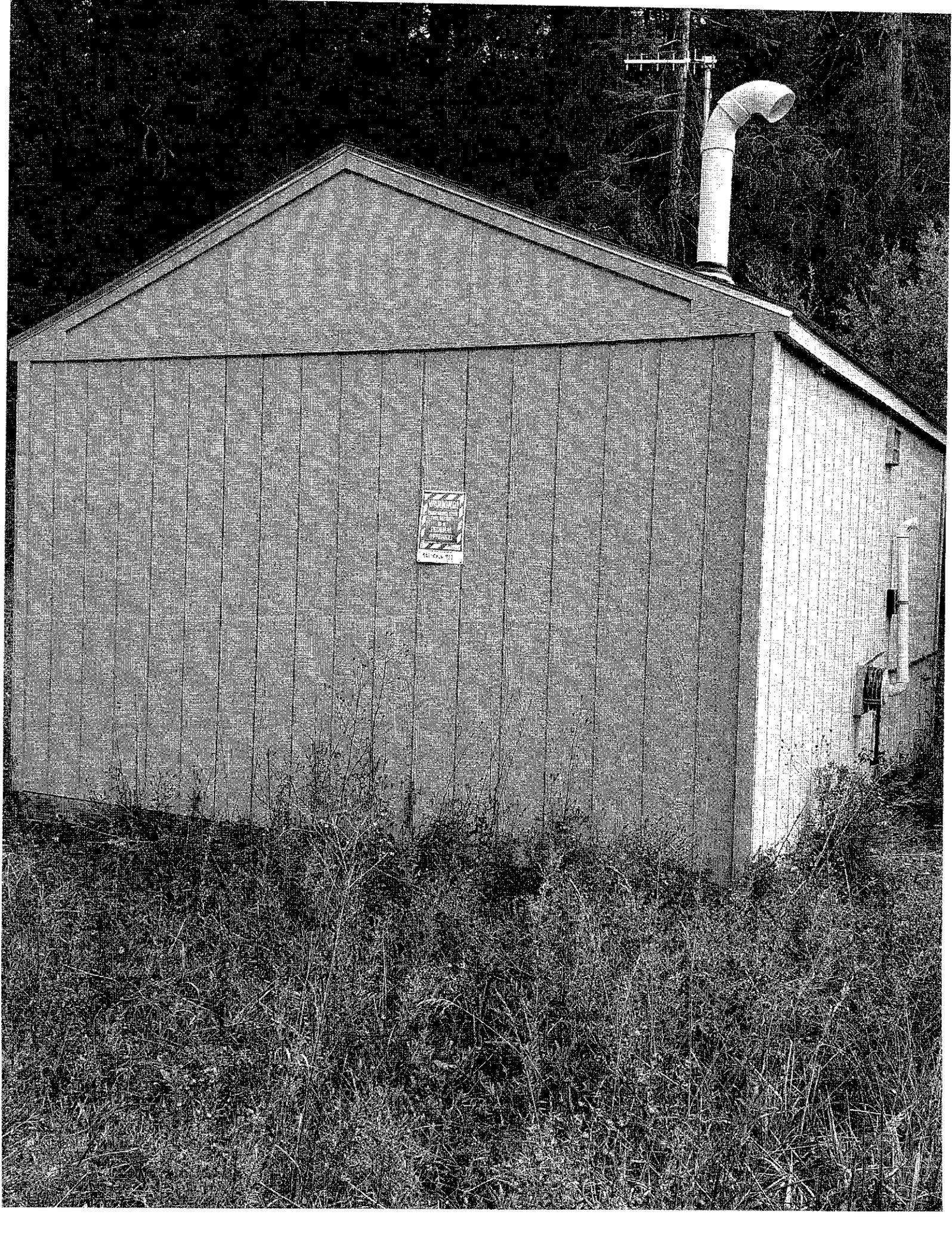
Tony Petrusha
Kootenai Winter Sport and Ski Education Foundation
Tel 406.422.3528

HAZARDOUS
MATERIALS
WARNING

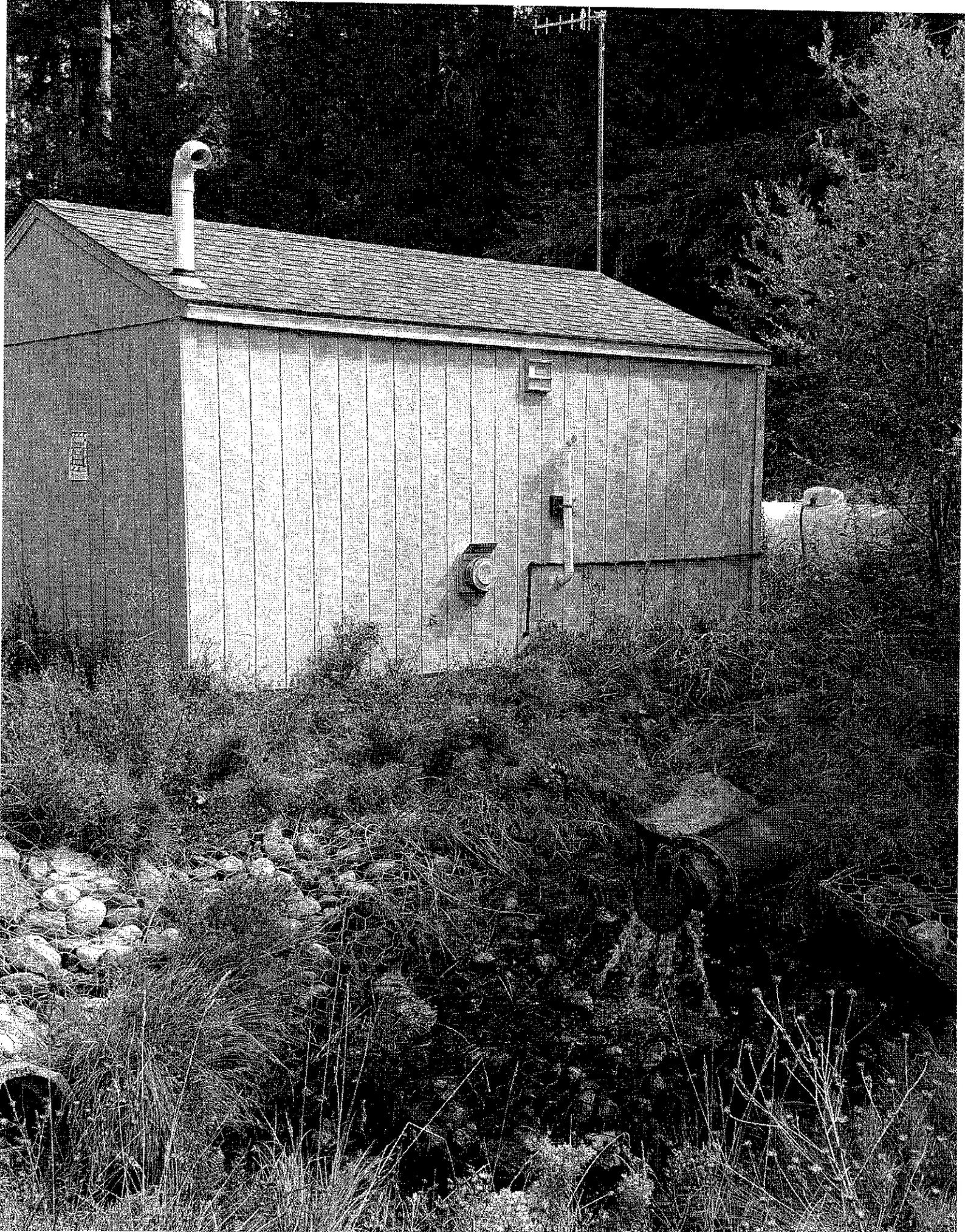
UN 2219
Sodium
Peroxide



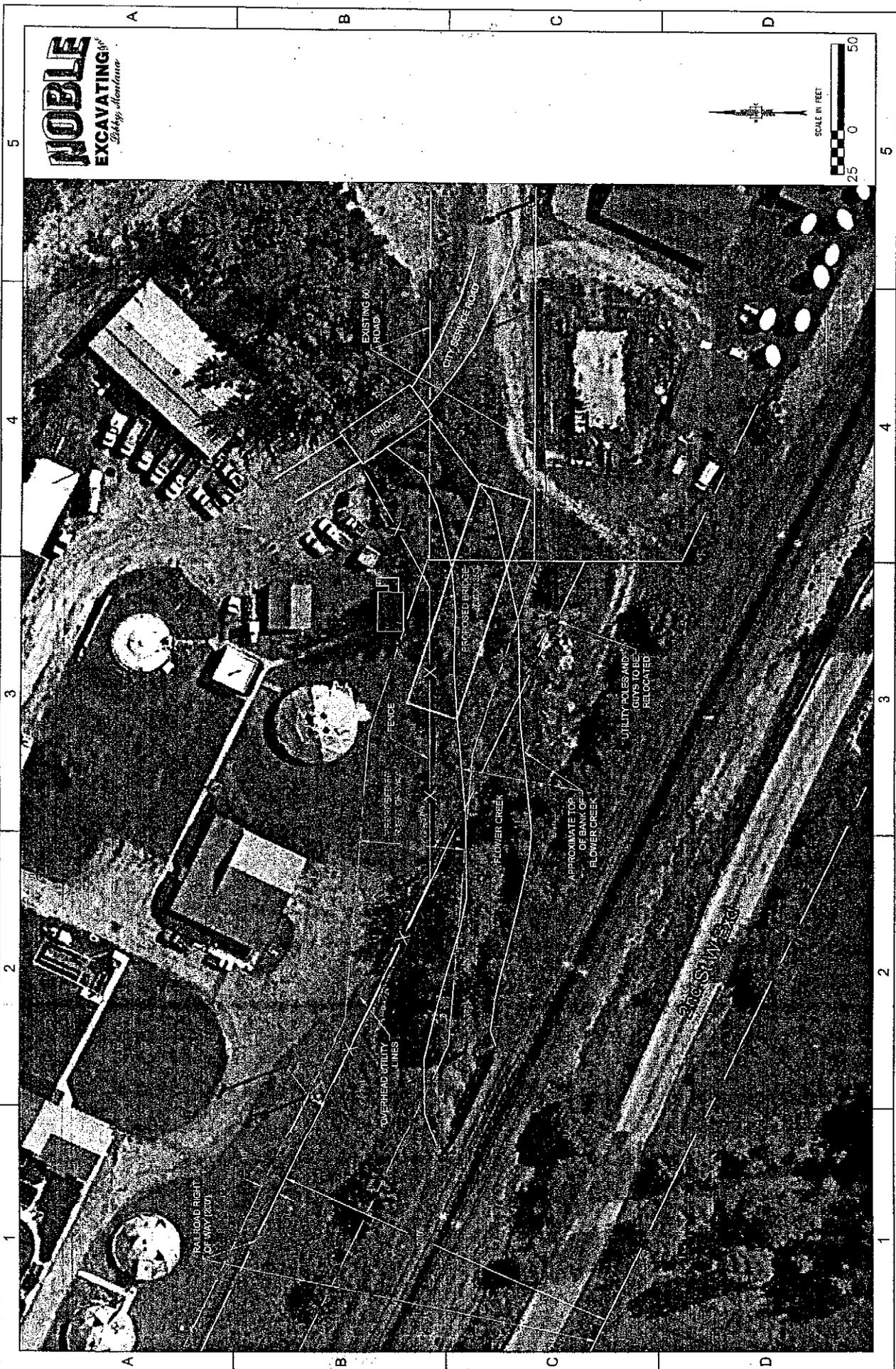
CAUTION
Corrosive to metals
May react with water
to form a gas



WARNING
DANGER
KEEP OFF
551 024 012



NOBLE
EXCAVATING
Quality. Affordability.



Resolution No. 1993

Authorization to Submit MCEP Infrastructure Planning Grant Application

WHEREAS the City of Libby is applying to the Montana Department of Commerce for financial assistance from the Montana Coal Endowment Program (MCEP) to prepare a Preliminary Engineering Report for the Water System, and

WHEREAS the City of Libby agrees to comply with all State laws and regulations and the requirements described in the *MCEP Administrative Guidelines & Application for Infrastructure Planning Grants* specifically, and those that will be described in the *MCEP Project Administration Manual* generally, and

WHEREAS the City of Libby commits to provide the amount of matching funds as proposed in the MCEP application, and

WHEREAS the City of Libby commits to provide any funding from other grant sources listed in the application budget if not awarded by those grant sources.

NOW, THEREFORE, be it resolved that Peggy Williams, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of the City of Libby, to act on its behalf and to provide such additional information as may be required.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 7th day of September 2021.

Attest:

Peggy Williams, Mayor

Samuel Sikes, Clerk/Treasurer

Samuel Sikes

From: mfraser [REDACTED]
Sent: Friday, August 20, 2021 10:05 AM
To: Peggy Williams
Cc: Jim Hammons; Samuel Sikes
Subject: MCEP- Planning Grant Application
Attachments: meridian@centurytel.net_20210820_091425.pdf

Attached is the application for a planning grant application for \$15,000 for a new Preliminary Engineering Report for the water system. Total cost is estimated to be \$70,000. The last in depth analysis was in 2012. There have been 3 or 4 major projects since 2012. A leak study, new system modeling and closer look as improvements to Cabinet Heights and the Water Treatment plant are needed.

A second application for \$15,000 has been submitted to DNRC. The Cities share will be \$40,000 plus possibly the cost of a leak study.

Please place this on the September 7th Council Agenda.

I would also like to update Council on the Water Project, Bar Screen and funding for plant controller.

Michael W. Fraser
Fraser Management & Consulting, PLLC
[REDACTED]
[REDACTED]

APPENDIX A

MCEP INFRASTRUCTURE PLANNING GRANT APPLICATION FORM

AUTHORIZING STATEMENT

I hereby declare that the information included in, and all attachments to, this application is true, complete, and accurate to the best of my knowledge. I further declare that, on behalf of (Insert Name of Applicant), I am legally authorized to enter into an agreement with the Montana Department of Commerce if a MCEP is awarded.

- 1) I further declare that if a MCEP grant is awarded, and if that grant is to be used to prepare a Preliminary Engineering Report (PER), then the PER will follow the format that meets the requirements of the *Uniform Preliminary Engineering Report for Montana Public Facility Projects* outline and will include a completed environmental checklist.
- 2) Or, if that grant is to be used to prepare a Capital Improvements Plan (CIP), then the CIP will be comprehensive and in accordance with criteria acceptable to Commerce.

I understand that Commerce will only review the final PER in an attempt to ensure that the information presented in the PER meets the basic requirements of the *Uniform Preliminary Engineering Report for Montana Public Facility Projects* outline, and that Commerce will not certify the quality of the PER. I further understand that the review and approval of the content of the PER by Commerce does not guarantee that a subsequent application to MCEP for a construction project would result in the maximum number of points being assigned in the scoring of the engineering problem or design during the MCEP ranking procedures.

Name

(printed): _____ Peggy Williams _____

Title (printed): _____ Mayor _____

Signature: _____

Date: _____

APPLICANT INFORMATION SUMMARY

1. **Name of Applicant:** _____ City of Libby _____

2. **Mailing Address:** _____ PO Box 1428 _____

_____ Libby, MT. 59923 _____

APPENDIX A

MCEP INFRASTRUCTURE PLANNING GRANT APPLICATION FORM

AUTHORIZING STATEMENT

I hereby declare that the information included in, and all attachments to, this application is true, complete, and accurate to the best of my knowledge. I further declare that, on behalf of (Insert Name of Applicant), I am legally authorized to enter into an agreement with the Montana Department of Commerce if a MCEP is awarded.

- 1) I further declare that if a MCEP grant is awarded, and if that grant is to be used to prepare a Preliminary Engineering Report (PER), then the PER will follow the format that meets the requirements of the *Uniform Preliminary Engineering Report for Montana Public Facility Projects* outline and will include a completed environmental checklist.
- 2) Or, if that grant is to be used to prepare a Capital Improvements Plan (CIP), then the CIP will be comprehensive and in accordance with criteria acceptable to Commerce.

I understand that Commerce will only review the final PER in an attempt to ensure that the information presented in the PER meets the basic requirements of the *Uniform Preliminary Engineering Report for Montana Public Facility Projects* outline, and that Commerce will not certify the quality of the PER. I further understand that the review and approval of the content of the PER by Commerce does not guarantee that a subsequent application to MCEP for a construction project would result in the maximum number of points being assigned in the scoring of the engineering problem or design during the MCEP ranking procedures.

Name

(printed):

Peggy Williams

Title (printed):

Mayor

Signature: _____

Date: _____

APPLICANT INFORMATION SUMMARY

1. Name of Applicant:

City of Libby

2. Mailing Address:

PO Box 1428

Libby, MT. 59923

3. Type of
Governmental Entity:

City

4. Federal Tax ID
Number:

81-6001285

CONTACT INFORMATION SUMMARY

CHIEF ELECTED OFFICIAL/AUTHORIZED REPRESENTATIVE:

Peggy Williams
(Name)

Mayor
(Title)

PO Box 1428
(Street/PO Box)

Libby, MT 59923
(City) (Zip)

406-293-2731
(Telephone)

peggy.williams@cityoflibby.com
(Email)

PROJECT ENGINEER/ARCHITECT (if applicable):

(Name)

(Title)

(Street/PO Box)

(City) (Zip)

(Telephone)

(Email)

LEGAL COUNSEL/ATTORNEY:

Dean Chisom
(Name)

City Attorney
(Title)

**PRIMARY CONTACT PERSON (if different from
CEO/Auth Rep):**

Michael Fraser
(Name)

City Engineer
(Title)

Fraser Management - 690 N. Meridian, Ste 103
(Street/PO Box)

Kalispell, MT 59923
(City) (Zip)

406-253-4326
(Telephone)

mfraser@montanasky.net
(Email)

GRANT/LOAN ADMINISTRATOR (if applicable):

(Name)

(Title)

(Street/PO Box)

(City) (Zip)

(Telephone)

(Email)

CLERK/CONTRACT ATTESTER:

Samuel Sikes
(Name)

Clerk Treasurer
(Title)

516 1st Ave W
(Street/PO Box)

Columbia Falls, MT 59912
(City) (Zip)

406-892-43576
(Telephone)

dean@chisholmlawfirm.com>
(Email)

PO Box 1428
(Street/PO Box)

Libby, MT. 59912
(City) (Zip)

406-293-2731
(Telephone)

Samuel.sikes@cityoflibby.com
(Email)

PROJECT PROPOSAL DETAILS

Type of Grant Applied For (check one):

- Preliminary Engineering Report (PER)
 Capital Improvements Plan (CIP)
 Other (Documentation of Commerce approval required)

Proposed Budget:

	SOURCE: <i>MCEP PL Grant</i>	SOURCE: RRGL	SOURCE: City	TOTAL
Professional Services	\$15,000	\$15,000	\$40,000	\$70,000
Other (list details)				

Proposed Implementation Schedule:

Estimated Start Date of infrastructure planning activities: September 2021

Estimated Completion Date of infrastructure planning activities: June 2022

Attach a proposed implementation schedule. This schedule should include the major milestones including field activities, draft report preparation and review, and final report preparation and submittal (see Attachment 1).

Proposed Project Narrative:

For an Infrastructure Planning grant that is to be used to prepare a PER, provide a description of the project that is being proposed for construction after the preliminary engineering is completed (using separate sheets as necessary), and the proposed activities and work schedule in completing the preliminary engineering:

1. The type of project; *Water System Preliminary engineering Report*
2. The project location (using maps & text); *City of Libby, Montana*
3. A brief history of the system, and its known or presumed deficiencies;

The distribution system was constructed by PP&L commencing in middle of the last century. Water mains are shallow. Water main materials are wrapped steel pipe. When purchased in 1986 the source was unfiltered surface water. Since acquisition a treatment plant has been constructed, the Flower Creek Dam replaced and portions of the distribution system. Deficiencies remain:

Leakage from water mains is estimated to 62%.

Pressures in many areas under maximum flow conditions is then required by the Circular. Many water mains are under sized, 2" and 4".

Treatment plant is 30 years old with corrosion problems in major treatment components.

The Lower Reservoir received large amounts of silt during Flower Creek Dan construction. Pre sedimentation performance has been reduced.

4. Any related compliance issues; *Performance of the treatment plant is reduced by the increased turbidity during runoff events resulting in "violations of turbidity". Boil Advisories have been required to notify users.*
5. A brief description of alternatives that are being considered at the time of this application; *Water main replacement and looping projects are being evaluated for areas with the lowest water pressures during peak flow events. A proposal for a leak study is being drafted for publication and procurement. Sediment removal options are being considered for the lower reservoir. Further corrosion investigations are being planned along with ventilation improvements in the clear well, under the treatment plant.*

and

6. Activities that will take place (including the process to be used to procure an engineer) and

products produced. *In September the City will advertise for an engineering firm to complete the Preliminary Engineering Report. Several public meetings will be scheduled later in the fall to inform the public of the PER process and update the City needs assessment. The goal is to have applications ready for submittal in May and June 2022 for RRGL and MCEP funds. It is possible a second round of Competitive Grant applications will be accepting applications in 2022. A CDBG application is being considered for fall 2022.*

For CIPs provide a brief description of the plan that is being proposed and the types of infrastructure that will be evaluated and planned for. The CIP must be comprehensive and should identify the current and future infrastructure needs of the jurisdiction. Include a proposed work plan and a proposed table of contents.

Required Attachments:

- Documentation showing the legal creation of the district (if a county water and/or sewer district);
- Documentation (i.e. resolution or formal letter) showing the commitment of matching funds; and
- Proposed implementation schedule (Attachment I).

ATTACHMENT 1

IMPLEMENTATION SCHEDULE

TASK	MONTH / YEAR
ADVERTISEMENT FOR PROFESSIONAL SERVICES	
Publish RFP	<u>September 2021</u>
Select firm	<u>November 2021</u>
Execute agreement with firm	<u>December 2021</u>
MAJOR ACTIVITIES/MILESTONES	
(BELOW ARE EXAMPLES. PLEASE CHANGE AS NECESSARY FOR THE PROPOSED PROJECT.)	
*PLEASE CONTACT COMMUNITY DEVELOPMENT DIVISION STAFF FOR RELEVANT CONSTRUCTION GRANT REQUIREMENTS IF USING THE PROPOSED PROJECT FOR FUTURE MCEP AND/OR CDBG GRANTS.	
Review condition of existing system	<u>February 2022</u>
Determine needs of community	<u>March 2022</u>
Prepare draft PER/CIP	<u>April 2022</u>
Hold public meetings/hearings as applicable	<u>April 2022</u>
Final PER submittal to MDOC	<u>June 2022</u>
MCEP Drawdowns	
Submit draft report and request first drawdown of funds	<u>April 2022</u>
Submit final report and request final drawdown of funds	<u>July 2022</u>

Resolution No.

Authorization to Submit MCEP Infrastructure Planning Grant Application

WHEREAS, the **City of Libby** is applying to the Montana Department of Commerce for financial assistance from the Montana Coal Endowment Program (MCEP) to prepare a Preliminary Engineering Report for the Water System;

WHEREAS, the **City of Libby** agrees to comply with all State laws and regulations and the requirements described in the *MCEP Administrative Guidelines & Application for Infrastructure Planning Grants* specifically, and those that will be described in the *MCEP Project Administration Manual* generally;

WHEREAS the **City of Libby** commits to provide the amount of matching funds as proposed in the MCEP application;

WHEREAS the **City of Libby** commits to provide any funding from other grant sources listed in the application budget if not awarded by those grant sources; and

That Peggy Williams, Mayor, is authorized to submit this application to the Montana Department of Commerce, on behalf of **City of Libby**, to act on its behalf and to provide such additional information as may be required.

Signed: _____

Name: Peggy Williams

Title: Mayor

Date: _____

Attested: _____

Samuel Sikes, Clerk- Treasurer



Timberline Auto Center, Inc.

617 Mineral Ave.
Libby, Montana 59923
(406) 293-4128
www.timberlineauto.com

September 1, 2021

Mayor and City Council members,

Timberline Auto Center has been selected to be a part of a pretty rare event in the car industry. On September 15th at 9:00 we have a customer taking delivery of a new 2021 Ford GT at our dealership. This is a very rare super car valued at over \$600,000. Ford only produces approximately 200 a year and the lucky recipients are selected through an application and interview process. We were lucky enough to be selected as the delivering dealer and we are pretty excited about the opportunity. We would like to make it a special event for the customer and for the community of Libby.

The vehicle will show up in an enclosed transport accompanied by a representative from Ford Motor Company. In order to make this a unique event I would like to unload the car in the middle of Mineral Avenue in front of our Ford sign. In order to accomplish that, I would like to close the section of Mineral Ave. from Lincoln Blvd to 6th street from 8:30 am to approx 11:00 am the morning of the 15th of September. This would allow ample space to unload the car on Mineral and allow spectators and opportunity to look at this very rare car as it is unloaded. I would appreciate your cooperation in helping us make this a special event for Libby. I would be happy to answer any questions or concerns you may have. I appreciate your time.

Respectfully,

Ryan Andreessen

Timberline Auto Center



RESOLUTION NO. 1987

**A RESOLUTION REQUESTING DISTRIBUTION OF
BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS**

WHEREAS, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, the project(s) to be funded is the Nevada street overlay and curb project.

WHEREAS, the local match for the allocated funds has been budgeted from (1000-430200-251).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBBY, MONTANA:

1. The City of Libby Montana requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.

2. That the Council hereby empowers and authorizes the Mayor or other staff to execute such further documents as may be necessary to facilitate the distribution of said funds.

Passed by the City Council and approved on this 7th day of September 2021.

ATTEST:

Peggy Williams, Mayor

Samuel Sikes, Clerk/Treasurer

RESOLUTION NO. 1989

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBBY
FIXING THE ANNUAL APPROPRIATIONS FOR THE CITY OF LIBBY, MONTANA
FOR THE 2021- 2022 BUDGET**

SECTION I. That the annual appropriations for the General Fund and other tax supported budgets of the City of Libby, Montana, and the same is hereby fixed as follows:

<u>Department</u>	<u>Proposed Budget</u>
Executive Services	47,690
City Court	33,673
Financial Services	556,384
Elections	10,000
Planning	10,000
Legal Services	40,462
Facilities Administration	104,630
Facilities, City Hall Roof	7,410
Police	554,427
Fire	103,246
Fire Hall Roof	7,000
Building Inspector	59,057
Growth Plan	58,000
Road and Street Services	168,232
Sidewalks & Curbs	95,000
Parks/Cemetery	84,858
Animal Control	12,000
Other Allocated Costs	53,750
Total General Fund	2,015,819
SID	2,146
Fire Relief (non-Budgeted fund) 16.00 mils	51,376
Lighting Maintenance District	73,500
Street Maintenance District	150,973

SECTION II. The following non-tax supported budgets are provided herein for information purposes only:

IP Settlement	685,010
Gas Tax	55,863
Gas Tax HB 473	73,155
Water Fund	3,134,595
Sewer Fund	2,206,569
Community Development	691,000
ARPA	354,933
CIP FUNDS	295,789
TOTAL ALL FUNDS	\$9,739,352

PASSED AND ADOPTED by the City Council of the City of Libby and approved by the mayor this 7th day of September 2021.

Peggy Williams, Mayor

Attest: _____
Samuel Sikes, Clerk/Treasurer

RESOLUTION NO 1990

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIBBY
SETTING TAX LEVY FOR THE YEAR 2022 UPON ALL REAL PROPERTY
IN THE CITY OF LIBBY FOR GENERAL AND SPECIAL PURPOSES**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBBY,
MONTANA THAT;**

SECTION 1 There is hereby levied on all property within the corporate limits of the City of Libby for the tax year 2022 the following taxes for the purpose hereinafter set forth.

For the General All-Purpose Fund, including all salaried and incidental expenses for the fiscal year ending June 30, 2022, one hundred twenty-seven and 25/100 (127.25) mills.

For providing funds for the Firemen's Disability Fund sufficient to meet the requirements of such fund, sixteen (16.00) mills.

TOTAL MILLS: 143.25

SECTION 1 There shall be levied in Lighting Maintenance District No.1 the sum of \$9.97per city lot of 3,175 sq. ft. on all property in said district as same as described in the Resolution No. 1120. Large tracts, undeveloped or partially undeveloped tracts shall be levied and assessed as provided in Resolution No. 1120. All the properties shall be levied and assessed those amounts for the cost of maintaining Lighting District No. 1 for the tax year 2020.

SECTION 2 There shall also be levied in Street Maintenance District No. 1 (Sprinkling) the sum of \$22.50 per city lot of 3,175 sq. ft. on all property in said district as described in Resolution No. 1119. Large tracts, undeveloped or partially undeveloped tracts shall be levied and assessed as provided in Resolution No. 1119. All the properties shall be levied and assessed those amounts for the cost of maintaining Sprinkling District No. 1 for the tax year 2020.

Adopted by the City Council and approved by the Mayor on the 7th day of September 2021.

Mayor, Peggy Williams

Attest: _____
Samuel Sikes, Clerk/ Treasurer

RESOLUTION NO 1991

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LIBBY,
MONTANA SETTING THE SALARIES AND WAGES OF ELECTED
OFFICERS, APPOINTED OFFICERS, AND CITY EMPLOYEES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LIBBY THAT:

1. The salaries of the elected officers of the City of Libby shall be as follows for July 4, 2021 through July 2, 2022:

Mayor	\$ 8,866.00 per year
Council President	\$ 5,642.00 per year
Council Member	\$ 4,446.00 per year

2. The salaries and wages of the appointive officers of the City of Libby shall be as follows for July 4, 2021, through July 2, 2022:

City Attorney	\$ 78,922.80 per year
Fire Chief	\$ 6,760.00 per year
City Administrator	\$ 27.46 per hour
City Clerk/Treasurer	\$ 23.54 per hour

3. The salaries and wages for the City employees shall be as follows for July 4, 2021, through July 2, 2022:

Assistant Fire Chief	\$ 2,730.00 per year
2 nd Assistant Fire Chief	\$ 2,730.00 per year
Building Inspector	75% of permits sold

Police Chief	Grade 13-Step 18	\$ 25.75 per hour
Police Sergeant	Grade 12-Step 7	\$ 21.36 per hour
Police Officers	Grade 11-Step 8	\$ 19.83 per hour
	Grade 11-Step 7	\$ 19.63 per hour
	Grade 11-Step 7	\$ 19.63 per hour
	Grade 11-Step 3	\$ 19.86 per hour

Water Treatment Operators	Grade 11-Step 32	\$ 25.17 per hour
	Grade 11-Step 9	\$ 20.02 per hour
	Grade 11-Step 8	\$ 19.83 per hour

Sewer Treatment Operators	Grade 10-Step 14	\$ 19.21 per hour
	Grade 10-Step 4	\$ 17.39 per hour
	Grade 10-Step 1	\$ 16.88 per hour

Water Distribution Operators	Grade 11-Step 17	\$ 21.68 per hour
	Grade 10-Step 8	\$ 18.10 per hour
Street Supervisor	Grade 13-Step 27	\$ 28.16 per hour
Equipment Operators	Grade 10-Step 11	\$ 18.65 per hour
	Grade 10-Step 7	\$ 17.92 per hour
	Grade 10-Step 5	\$ 17.57 per hour
Mechanic	Grade 11-Step 14	\$ 21.05 per hour
Floater	Grade 10-Step 4	\$ 17.39 per hour
Deputy Clerks	Grade 10-Step 5	\$ 17.57 per hour
	Grade 10-Step 5	\$ 17.57 per hour

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 7th day of September 2021.

Peggy Williams, Mayor

ATTEST:

Samuel Sikes, Clerk/Treasurer

ORDINANCE 1992

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIBBY MONTANA CHANGING THE ZONING FOR CERTAIN PROPERTIES IN THE CABINET HEIGHTS NEIGHBORHOOD FROM HIGHWAY COMMERCIAL TO RESIDENTIAL B AND PARKS AND OPEN SPACE.

WHEREAS the property described in the attached exhibit was annexed into the city limits of Libby in 2005; and

WHEREAS said property was given a commercial zoning designation at the time of annexation in a residential area; and

WHEREAS the City of Libby recognizes the incompatibility of a commercial zoning district in a residential neighborhood; and

WHEREAS the City of Libby created a Parks and Open Space District since the property was annexed; and

WHEREAS assigning a residential district compatible with a golf course amenity is desired.

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

Parcel B, COS 4768RB; and
Parcel A & C, COS 4783RB

Be changed from Highway Commercial to Residential B zoning district as defined in the City's Municipal Code and as shown on the attached exhibit; and

Property described as:

Parcel A, COS4768RB; and
Parcel B, COS 4783RB

Be changed from Highway Commercial to Parks and Open Space as defined in the City's Municipal Code and as shown on the attached exhibit.

Attest:

Peggy Williams, Mayor

Samuel Sikes, Clerk/Treasurer



City of Libby

952 E. SPRUCE | POST OFFICE BOX 1428

LIBBY, MT. 59923 | Phone 406-293-2731 | Fax 406-293-4090 | Website: www.cityoflibby.org

MEMO

DATE: May 13, 2021
TO: City Council
FROM: Kristin Smith, Chair, Zoning Commission
RE: Zoning Commission Report recommending proposed zoning district changes

During its regularly scheduled meeting on May 10th, the Zoning Commission reviewed the current zoning district designations for the Cabinet View Golf Course property and recommends the changes as identified on the exhibit submitted by the Golf Course:

- a. Areas of golf course (front and back 9s) to be changed from Highway Commercial to Parks and Open Space
- b. Areas proposed for residential development adjacent to the golf course to be changed from Highway Commercial to Residential B.

The Zoning Commission believes these changes are in accordance with anticipated growth patterns; and they provide more compatibility and predictability with adjacent uses.

The Highway Commercial designation (formerly Main Business) allows for a wide range of uses that are inappropriate in a distinctly residential neighborhood. The designation dates back to when the property was originally annexed in the early 2000s, though it is unclear why that particular designation was made.

The Parks/Open Space District (17.30) allows for public recreation, while Residential B (17.16) allows for multi-family dwellings up to 4 attached units. While the golf course has been developed for a number of years, the adjacent property has been planned to be developed as residential dwellings, either townhomes or condominiums, for just as long.

The Zoning Commission unanimously recommends City Council move forward with the process to amend the zoning boundaries as referenced above pursuant to Title 17.37, Libby Municipal Code.

EXHIBIT

**PROPOSED ZONING CHANGES
CABINET VIEW GOLF CLUB PARCELS
WITHIN SECTIONS 10 & 15, T30N, R31W, P.M.MT.
CITY OF LIBBY, MONTANA**

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