

**Troy City Council Meeting
Council Chambers
January 9, 2008**

The meeting came to order at 7:00 pm. Attending – Mayor Jim Hammons, Council: Laura Schrader, Larry Coryell, Don Banning, Larry Baker, City Attorney Mark Fennessy, and City Clerk Sandra Johnson.

GUESTS: Ian Bailey-TD&H, John Clogston, Sylvia Maffit, Steve Straley, Catherine LeCours-DEQ, Steve Newstrom, Linda Newstrom, Lynn Ward, Carene Cratty, Billie foster, Jean Meyer, Shirley Tomazweski, Ron Rebo, Tracy Rebo, Kit Pearson, Ted Linnert-EPA, Mitch Walters, Susi Lasater, Susie Taylor, Clint Taylor, Dennis Dupuis, Katie Randall, Steve Garrett, Brady Selle, Daren Coldwell, Brady Selle.

NOMINATION AND APPOINTMENT OF VICE PRESIDENT OF COUNCIL: Mayor Hammons called for nominations. Larry Baker nominated Laura Schrader. Having not heard the nomination Jim Hammons reiterated the nomination for Laura Schrader. Larry Coryell nominated Don Banning. Votes: Banning for Banning, Coryell for Banning, Schrader for Schrader, Baker for Schrader. Mayor Hammons broke the tie, voting for Schrader. Laura Schrader was appointed Vice President/Chairman of Council.

NEW BUSINESS LICENSES:

True Blue Boutique & Nails: located at 302 E Kootenai Avenue. Owner- Carene Cratty, Council had no questions for Cratty.

M & W Vending, LLC-, located in Libby. Owners- Rhonda Miller and Lynn Ward - Ward explained that they purchased the Troy area from a larger vender. Council had no questions. Laura Schrader made a **motion** to approve both business licenses. A second to the motion was made by Larry Baker. Coryell – yes, Banning – Yes. **Motion carried.**

SEWER PROJECT:

Approval of Low Bidder for sewer project contingent upon approval by Rural Development. Low Bid - \$236,800.00 to S & L Underground Inc., Bonners Ferry, ID. Hammons asked for a motion to award the contract to S & L Underground contingent upon approval from RD. **Motion** was made by Larry Baker and Larry Coryell seconded. Banning – Yes, Schrader – Yes. **Motion carried.**

Engineers Contract Amendment #2 – Project Inspection of \$19,941. Ian Bailey - TD & H proposed less than full time inspection, but RD is requiring full time inspection and accounts for the increase in inspection expense. Term 4 months starting mid-March but ordering time could take quite some time. Coryell stated that he is glad we are doing full time. A **Motion** was made by Larry Baker to approve the engineer's contract amendment #2 and the second by Laura Schrader. Coryell – Yes. Banning – Yes. **Motion carried.**

TD & H – Sewer Final Design- Invoice No. 20644 for \$8,579.85. A **Motion** was made by Larry Baker to approve the invoice. Laura Schrader seconded the motion. Coryell – yes, Banning – yes. **Motion carried.**

WATER PROPECT PHASE II UPDATE: Ian Bailey,TD & H - Dan Lozar and Debbie Pace are working on the preliminary draft, we expect it to be completed by mid-March. Bailey said they would be ready for a public meeting around that time to present the draft. The final product will be grant applications for DNRC and TSEP due by May. Bailey mentioned additional agencies with grants that the City should apply for as well. Hammons asked if TD & H has assessed what needs to be done on Phase II and what the City's main problem areas are. Bailey has Lozar currently updating the model. Hammons mentioned the constriction problem around Callahan Bridge. Bailey said that is in Phase II as well. He mentioned that anything related to health and human safety is the main goal to score well for the grants. Hammons asked for a timeline with the

estimated costs. Bailey said it would be the middle of February. Hammons expressed the importance of having it done as soon as possible in order to apply for State appropriations as well. Discussion followed.

WILDLIFE MUSEUM PROJECT : Approval of Structural and Architectural Engineering- Moretti Engineering - fixed fees of \$14,750.00 - Hammons has been working with John Konzen and Beth Schwitzer for a location near the Museum. Because it is a public building it has to be engineered. The \$14,750.00 will be coming out of private donations. Hammons asked for approval to proceed. Coryell expressed his concerns; he asked if the County has committed to the location and will it be maintained, and staffed by them as well. Hammons has the same concerns and said there will be a meeting to discuss all the concerns including utilities. Larry Baker made the **Motion** to proceed with the engineering costs. Laura Schrader made the second to the motion. Banning – yes, Coryell – yes. **Motion carried.**

POLICE DEPARTMENT REQUEST: Extend authority to a five mile radius- Mitch Walters asked the City to draft a resolution ultimately becoming an ordinance adopting State statute 732-4301 and 732-4302 to extend authority for disturbances of the peace, (intoxication, fights, riots, loud music, disorderly conduct, or are offensive to public morals). Walters stated that there is not always a county officer available. State statute allows city officers to respond but without the authority to arrest. The extended area would not be patrolled by Troy Police Department. It would only give the PD authority to handle disturbances of the peace with authority to deal with the situation. Discussion followed with example. Hammons expressed his concerns with spending the city's time and money outside of the city. Hammons wants the issue to reviewed by committee. City Attorney Mark Fennessy agreed that it should go to committee. Hammons asked for volunteers for the committee. Volunteers are as follows: Larry Coryell, Don Banning, Mark Fennessy, and Mitch Walters. Banning would also like to contact the Sheriff's Office for a committee volunteer.

AMEND PRESENT COUNCIL DATE ORDINANCE TO ONE DAY A MONTH: Some Council members would like to see one Council meeting per month, and one work meeting per month. The present Ordinance setting council days will need to be re-done. Schrader expressed concerned about the claims being issued on time and asked what would be the best time of the month for the official Council meeting. The second or third Wednesday of the month, but can work with what the Council decides. Fennessy added; there only has to be the one Council meeting a month, and the work meetings can be scheduled anytime. Council discuss what day of the month would be best and get back to them with the ordinance.

CITY/SCHOOL DISTRICT: Property exchange- Mayor Hammons would like to see have this go to committee as soon as possible. Brady Selle – would like to express how important time is in this matter. The School District has engineers and architects that are at a standstill until they can get the site plan with elevations and the geo-tech report. Without those reports, the school district cannot get bids out. Contractors are filling their summer work schedules now, so the importance of getting bids out as soon as possible is crucial. Discussion followed. Coryell asked Fennessy about deed restrictions on city properties. Fennessy said he would order the reports. Banning said he is available during the day for committee meetings. Schrader suggested a meeting with the committee and school district after the reports come in. Council scheduled a meeting for Tuesday the January 15th at 7:00 pm at the school Admin building. Selle asked for a motion at that time. He was told that it has to be an official Council meeting to make the motion, but they could hold a special one in this circumstance. Council scheduled a special meeting of the council for Wednesday the January 16th at 7:00 pm.

R C & D REPORT: Larry Coryell-The City has been paying the dues to RC&D. Because his schedule wouldn't allow his participation in the meetings any longer he would like to see Banning take it back. Coryell took over for Banning in the first place. Hammons asked for the opinion of the council to see if it benefits us enough to keep attending and paying the dues. Discussion followed. Schrader-no, Baker-no, Coryell-yes, Banning-yes. Since the dues are paid for the year, Banning was authorized to attend the RC&D meetings representing Troy until dues are to

be renewed. Coryell added how important it is to pass on all information to the public, possibly by keeping a monthly calendar. Hammons said something will be figured out, but the cost of newsletters is too large to send them out monthly.

MINUTES OF DECEMBER 12, 2007: A **Motion** was made by Larry Baker to approve the Minutes of December 12, 2007, and seconded by Laura Schrader. Coryell – yes, Banning – yes. **Motion carried.**

CLAIMS: Baker questioned the claim regarding Lincoln County Elections. When the city has an election the expense is borne by the city. We have to pay for our own elections. A **Motion** to approve claims in the amount of \$84,800.87 was made by Laura Schrader and seconded by Larry Baker. Coryell – yes. Banning – yes. **Motion carried.**

DEPARTMENT REPORTS: Hammons-None Schrader-None Coryell-none. Banning- none. Baker- would like to see the pledge of allegiance at the beginning of every meeting. Hammons-yes, Schrader-yes, Coryell-yes, Banning-yes.

PUBLIC COMMENTS: Catherine LeCours-DEQ: There will be a public meeting tomorrow at the little theater in Libby. Troy will be discussed. There are 174 out of the 500 plus properties that have the criteria for the clean-up and six that are top priority. Not all residents have been notified of the findings. There will be a mass mailing in March.

Motion to adjourn at 8:15 p.m. made by Don Banning and second by Laura Schrader. **Motion Carried.**

James C. Hammons, Mayor

ATTEST:

Sandra Johnson, City Clerk/Treasurer