

**Troy City Council Meeting
Council Chambers
June 15, 2011
7:00 pm**

The meeting came to order at 7:00 pm. Present: Mayor Donald Banning, Council: Phil Fisher, Fran McCully, Gary Rose, and John Clogston, City Attorney Charles Evans, and Deputy Clerk Tracy Rebo.

Mayor Banning lead the Pledge of Allegiance.

GUESTS: Robert McLeod- Chief of Police, Janine Price, Jayne Brown, Jean Meyer, David Norman-Public Works, Rachelle Garrison, Payton Norman, Bill Fisher, Sandi Sullivan, Linda Rose, Dennis Dupuis, John Brown, Donna Rugani, George Snyder, Michael Lee, Marilyn McDougall, Lynn Ward, Steve Bowen, Ken Davis, Kelly O'Brien, Kristin Smith-Planning Director, Rhonda O'Brien, and Heather McDougall.

MINUTES: Phil Fisher made the **Motion** to approve the minutes of: Council Work Meeting, 6:30pm, May 12,2011, Regular Council Meeting, May 18, 2011 7:00pm, Council Special Work Meeting, 6:30pm, May 23, 2011, Special Council Meeting #1, 7:30pm, May 23, 2011, Special Council Meeting #2, following meeting #1, May 23, 2011, and Gary Rose seconded. Discussion: Phil Fisher wanted it noted that in all three minutes on May 23rd, 2011 is has Fran McCully as absent, would like it noted that she was present at all three meetings. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y, Clogston - Y

DEPARTMENT REPORTS:

Police Department: Bob McLeod reported dispatch calls were up from 192 to 235 this month. There were 21 Animal Control complaints.

Public Works: Dave Norman reported that the annual clean up at the cemetery went well. The department is working on roads; he has contacted the paving contractor for pricing for overlay. Construction started on the walking path. They have been spraying weeds with weather permitting. There was discussion on where the paving should be. John Clogston asked how much it would cost to chip seal Riverside Avenue, Norman estimated about one tanker of oil at \$18,000, Fisher would like to see it chip sealed also before the asphalt breaks up. Gary Rose stated that chip sealing the roads after paving would be beneficial. Fisher would like to have troubled potholes and road areas cut and patched, then chip seal everything within a couple years. Norman stated he would like to get some chip sealing done before the end of summer. McCully had questions on costs of asphalt overlay would be for an entire street. Norman estimated about \$20,000 per street. Clogston had a discussion with Norman regarding a situation on a water meter and service line for a particular customer with a large leak, and also regarding the cost to install a water meter on a currently empty lot. Mayor Banning asked for the discussion to be dropped.

NEW BUSINESS:

New Business Licenses:

Real Art Works LLC- Representative: Lynn Ward, location is 600 E. Missoula Ave. in Troy. Ward explained that art pieces are individually owned with a \$100 initial membership fee and \$40 per month to maintain membership. Gary Rose asked who was running it. Ward answered; members will take turns manning it. Phil Fisher made the **Motion** to approve the business license and Gary Rose seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Northwest Displays Pyromania Fireworks- Owner: Kelly O'Brien, location is Callahan Road & Hwy 2, in Troy. Gary Rose made the **Motion** to approve the Business License for and Phil Fisher seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

RESOLUTION No. 641-1: Log Books to be Maintained by Public Works Department: Mayor Banning read aloud Resolution No. 641-1. Phil Fisher made the **Motion** to approve and Gary Rose seconded. Discussion: Evans had time to review the resolution and stated this resolution may infringe on the Mayor's duties. He suggested the Council give recommendation to the Mayor instead of passing this Resolution. Phil Fisher amended his **Motion** to table Resolution No. 641-1 upon the City Attorney's recommendation until July 14, 2011 at the Council Work Meeting and Gary Rose seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

RESOLUTION No. 642-1: Establishing Roles, Duties & compensation for Park Host: Phil Fisher read aloud Resolution No. 642-1. Gary Rose made the **Motion** to approve and Phil Fisher seconded. Discussion: City Attorney Evans suggested that the Mayor have an agreement with the Park Host. Council could make recommendations of these items. Mayor Banning stated; no agreement is needed, a job description could be put together with these requests. Gary Rose amended his **Motion** to table Resolution No. 642-1 to table it until the July 14, 2011 Work Meeting. Phil Fisher seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

RESOLUTION No. 643-1: Establishing the Schedule and Construction of Water Feature: Gary Rose read aloud Resolution No. 643-1. Phil Fisher made the **Motion** to approve Resolution No. 643-1 and Fran McCully seconded. Discussion: Mayor Banning asked Rose if he had discussed this with Public Works Director Dave Norman. Rose answered yes. Banning asked Rose; what do you think would be a reasonable time limit to complete it? Rose answered; August 31st maybe pushing it for completion, would consider having a longer timeline. Mayor Banning suggested a monthly progress report. Rose stated he would be open to anything. Phil Fisher would like to add to the motion on the Resolution that a monthly progress report will be given at council until completed. Also change the date of completion from August 31, 2011 to November 1, 2011. **Motion carried** with changes to the Resolution. Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

RESOLUTION No. 644-1: Require a Three Month Plan be Maintained for Each Department Head. Phil Fisher made the **Motion** to approve and Gary Rose seconded it. City Attorney Evans stated that it infringes upon the Mayor's supervision of the work force. It would be better if the Mayor would give Council the three month report. Evans continued; it would be up to the Council and Mayor to agree on it. The Mayor needs to have more detail of what the Council expects they want him to report on. This is also so the Mayor would know what they are looking for. Phil Fisher withdrew his original motion. Heather McDougall stated; the three month report should be a plan for the future not a report on the past three months.

OLD BUSINESS:

George Snyder: Snyder asked if the Council had an objection to him advertising his property for sale over the July 4th weekend. Council's consensus was no objection.

Callow Tracts Amended Plat (McCabe): Kristin Smith – Smith advised that there were 11 conditions on two lots, McCabe met all conditions. Phil Fisher expressed concern that the description of the property stated "Eastern extent of City limits". Smith assured that it is only a directional description. Phil Fisher made the **Motion** to approve the Callow Tracts Amended Plat and Gary Rose seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Animal Control Contracts: Robert McLeod – McLeod requested to renew the contracts with, Kootenai Pets for Life, Debbie's Pet Grooming and Lincoln County. Gary Rose made a **Motion** to approve the renewal of the above contracts. Phil Fisher seconded. No discussion. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Animal Control Option for Animal Storage: Robert McLeod - McLeod requested permission to store feral cats at the Animal Control Officer's residence for the required holding period before they can be taken to Lincoln County to euthanize them. The officer has a holding facility and it would be with McLeod's permission. The cost would drop from \$10 per day to \$3 per day. Phil Fisher stated that there may be a conflict. McLeod explained that KPFL will not take feral cats and the cost to the City could be up to \$40 per cat by using the Lincoln County Animal Facility. Using the Animal Control Officers facility would save the City about \$400. Marilyn McDougall would like the cats to be caught and fixed and then released. City Attorney Evans expressed the need for a committee. Phil Fisher and Fran McCully will serve on the committee to help take care of the problem. Phil Fisher made the **Motion** to have Evans go over all three animal control agreements. Gary Rose seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

BPA Transmission Service- Customer Secondary NT Rights: Phil Fisher made the **Motion** to approve and Gary Rose seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Resolution No. 633 – Policies to Council (tabled 5-23-11) Gary Rose made the **Motion** to table this until the July 20th meeting. Phil Fisher seconded. Discussion: Heather McDougall questioned the status on the litigation. Evans explained that no hearing has been set yet. Discussion followed. Evans asked; what is Council still waiting for, everything has been provided. Council's consensus was they haven't received anything yet. Evans stated; they need to specify what dates of time-cards. Fran McCully stated she would like to look at the policies in the Council Chambers. Phil Fisher suggested making one copy and then pass it between each other. The Mayor stated that it is a good idea, but it may take a day to get information together. He would like a check-out system and have it kept at City Hall for updating. Gary Rose withdrew his **Motion** to table Resolution No. 633 and Phil Fisher seconded. **Motion Carried.** **Motion** to withdraw Resolution No. 633 was made by Phil Fisher and second by Gary Rose. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Resolution No. 639 –GASB 54 Accounting Spending Policy: All cities and towns are required by the State to follow specific accounting procedures outlined in GASB 54. Phil Fisher made the **Motion** to approve Resolution No. 639 and Fran McCully seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Resolution No. 640- Lincoln County's Request for Mail-in Ballot: Phil Fisher made the **Motion** to adopt Resolution No. 640 and Gary Rose seconded. Discussion: it was Council's consensus to add postage to the resolution. **Motion carried** with a change to the resolution stating that the City of Troy will pay for postage. Fisher-Y, McCully-Y, Rose-Y and Clogston-Y

Veto for Resolution No. 635 – Advance Notice of 48 hours to be given if Mayor is out of City Limits for more than 24 hours: Mayor Banning read aloud his Veto. Phil Fisher made the **Motion** to override the Mayor's Veto and Gary Rose seconded. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

Veto for Resolution No. 640 – Establishing Eight Hour Work Days: Mayor Banning read aloud his Veto. Gary Rose made a **Motion** to override the Mayor's Veto. Phil Fisher seconded it. Discussion: City Attorney Evans stated that the reason for this is the present union contract calls for 8 hour days and should not infringe upon the Mayor's duties. Discussion followed. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y. It was questioned; when will the employees have to go back to five 8 hour shifts. Evans answered; within a reasonable amount of time, next pay period. Monday June 20, 2011.

CLAIMS: Gary Rose made the **Motion** to approve claims in the amount of \$75,099.28 and Phil Fisher seconded. Discussion: Fran McCully questioned the MMIA deductible regarding Walters and stated, we need to figure out what it is about. McCully also stated that she would like the

Meloy billing added to the claims. Mayor Banning stated that there has been no agreement made yet. Evans feels that the claim should not be paid as of this time. **Motion carried.** Fisher – Y, McCully – Y, Rose – Y and Clogston – Y

PUBLIC COMMENTS: Steve Bowen reported on the Christmas Tree Improvement: they have a fund set aside for trimming and new lighting. Discussion followed. It will be placed on the next work meeting.

ADJOURNMENT: Meeting was adjourned 9:47 p.m.

Donald C. Banning, Mayor

ATTEST:

Tracy Rebo, Deputy City Clerk