

Troy City Council Meeting
Council Chambers
June 20, 2012
7:00 pm

The meeting came to order at 7:00 pm. Attending were Mayor Tony Brown, Council: Phil Fisher, Fran McCully, Joe Arts, Crystal Denton, and City Clerk Tracy Rebo.

GUESTS: Susan Monahan – Kootenai Valley Record, Barbara Pence, John Clogston, Bill Hubbard, Karen Hubbard, Deanise Killingsworth, Francine Ninneman - VFW Auxiliary, Bob Basham - VFW Post, Donna Rugani, Jayne Brown, Con Lee, Steve Bowen, Maria Cooper, Heather McDougall, Mike Lee, and Ryan Murray

PUBLIC COMMENTS: Bob Basham of the VFW presented a flag to the City for the city hall building. He also gave the small flags to the City to put on light poles for the holidays. Council concurred and thanked him.

MINUTES: Fran McCully made a **Motion** to approve the minutes of February 13, 2012 work meeting, March 16, 2012 special meeting, March 21, 2012 regular meeting, March 29, 2012 special meeting, April 3, 2012 special meeting, April 12, 2012 work meeting, April 18, 2012 regular meeting, May 10, 2012 work meeting, May 16, 2012 regular meeting, May 21, 2012 budget meeting, and May 29, 2012 special meeting No. 1, Phil Fisher seconded. **Motion Carried.**

DEPARTMENT REPORTS: *Mayor:* gave recommendation to upgrade the computer system to allow shop employees to send and receive emails. He suggested the ability to email service orders. Mayor Brown also brought up the Safe Routes to School grant program and stated that we may want to change the route by coming down the Highway to 4th Street, and would like to employ local people. *City Court:* Deanise Killingsworth explained circumstances around not having a City Attorney for prosecutions, and explained that some cases have been dismissed without prejudice, so they can be brought back for prosecution within a year. These cases represent about 50%. Killingsworth gave an estimate of 150 citations per year, half being \$20 fines for speeding. *Council:* Fisher requested a meeting with the Mayor to discuss policies. Mayor Brown agreed and added that he feels a need for updates on the employee policy. McCully agreed. *Electric Utility, Public Works, and Police Department:* all submitted written reports.

NEW BUSINESS

BUSINESS LICENSE: You Scream Ice Cream – Mobile Ice Cream sales, Owner: Tiffany Day located at 1353 Forest Drive, Troy area. Fisher made the **Motion** to approve the business license contingent upon presentation of County and State licenses and inspections or waiver. McCully seconded and **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

BUSINESS LICENSE: DJ Savage – Karaoke services and computer repairs, Owner: DJ Savage; Business located at 357 Riverside Avenue in Troy. Mike Lee gave input and recommendation. Fisher made the **Motion** to approve the business license and Arts seconded. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

BUSINESS LICENSE: C & C Pizza Factory – Takeout and delivery pizza parlor. Owner: Joey Carroll and Maria Cooper; located at 207 N 4th St. Suite A, in Troy. Carroll gave a description of business. Fisher made the **Motion** to approve the business license pending County Health

inspection and McCully seconded. **Motion Carried.** Fisher-Y, Denton-Y, Arts-Y, and McCully-Y

EECBG: Pay Request #2 – J.L. Regh Inc.- Fisher made the **Motion** to approve pay request #2 for \$10,004.25 and Denton seconded; **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

RESOLUTION NO. 654: Change Power and Light Policy- Fisher made a **Motion** to approve Resolution No. 654 regarding Tier 2 power. Denton seconded the motion. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

ORDINANCE NO. 655: Codification- Mayor Brown read aloud Ordinance No. 655 accepting the new Code Book for the City of Troy. **Motion** to approve the first reading was made by Phil Fisher and seconded by Crystal Denton. Discussion: Heather McDougall questioned the need for it to be published in area news papers. Tracy Rebo stated that there is no City Attorney to advise her, but will follow up. **Motion Failed.** Phil Fisher made the **Motion to table** Ordinance No. 655 until the July 18th meeting. Crystal Denton seconded; **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

SALE OF SURPLUS PROPERTY: Phil Fisher made the **Motion** to approve the sale and accept bids with the Council having the right to refuse bids for the 1987 Ford F-350 utility truck, surplus from the electric department. Crystal Denton seconded his motion. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

NORTHERN LIGHTS CONTRACT: Mayor Brown stated he has many questions. McCully stated that it is complicated and requested Clint Taylor to be present to answer questions the Mayor and Council has. Brown stated that he would like to have a Northern Lights representative present also. Denton asked questions regarding billing. The Clerk advised of the monthly billing procedures. Discussion followed. Fisher stated that the City is renting their employees, and any monies over their wages should go back to the General Fund. We are renting our employees, not the power department, and the contract is with the City of Troy, not the City of Troy Power.

10 HOUR WORK DAYS: Phil Fisher made the **Motion** to accept the four 10 hour work days and Fran McCully seconded. Discussion: Mayor Brown stated that this will not happen because there is not enough work to do. Brown stated that he read the union contract and five eight hour shifts from 8 am to 5 pm makes the most sense to him. Brown stated that the contract says a 40 hour week and he suggested staggering the hours Tuesday through Saturday to avoid overtime for the weekend rounds. He also suggested that the Police Department do the standby for the power department. Rebo advised that the Police Chief cannot do power work. Brown expressed the need for more information. Fisher agreed. **Motion Failed.** Fisher – N, Denton – N, Arts – N, and McCully – N. Heather McDougall stated that she felt the contract was being misinterpreted. It says 40 hours per week and then overtime, not that you have to guarantee them 40 hours per week. The Mayor disagreed. Mayor Brown stated the need for a department head meeting for the discussion on the union contract and health insurance.

FY 2012/2013 WAGES: Mayor Brown stated his feelings that there isn't enough work and this is not a good time to lay anyone off, but and if people have to be let go, they need to be. Fisher stated that most residents of Troy live on a fixed income and they didn't get raises this year. It is hard to justify increases for employees because it would have to come from rate increases. Mayor Brown stated that when dividing the wages into the number of customers it's a burden on the customers. Denton agreed and stated that an increase in the amount that employees pay for

insurance may save someone's job. She also addressed the need for a department head meeting, as most of the workers are on task but it is their supervisors that fall behind and it happens everywhere.

POLICE COMMISSION: Review letters of interest – Mayor Brown read aloud the letter of interest from Donna Rugani. McCully advised that it is required by law to have a Police Commission. Fisher explained what the position entails. Phil Fisher made the **Motion** to accept Rugani to the Police Commission and Crystal Denton seconded. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully – Y. There was discussion to consider a councilman over see the departments.

CITY ATTORNEY: Mayor Brown suggested the City Attorney would be hired for piece work. Email him for opinions and not need him at meetings. Deanise Killingsworth expressed that the court needs to have a prosecuting attorney on retainer and available at any time. She reiterated that the court would not function with an attorney that was just on call because of requirements. McCully suggested using the wording *as needed* instead of *piece work*. She expressed that it would affect the budget and to just do the *as needed* for two months to see if it works for the future budget. Killingsworth stated that a regular contract would be more cost effective. McDougall stated that the upcoming two months there is a lot of work where other months there may not be. Arts expressed the Police Departments serious need for a City Attorney. Jim Reintsma's letter to the City was discussed. McCully stated that she spoke with Charles Evans, and he would go with the \$60 per hour and would go with the *as needed* basis, but keeping track of the 15 minute increments, it would probably be \$70 per hour. She added that the Mayor should come up with a cost and come back to the Council. Denton asked McCully if it was for prosecution and civil business. McCully answered; as needed for everything. Discussion followed. Fran McCully made a **Motion** for the Mayor to contact Charles Evans to work out an agreement with him for his services on an *as needed* basis. Arts wanted Brown to also contact Reintsma as well. Denton seconded the motion. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully – Y. Mayor Brown advised that he will do this within a week.

CITY WIDE SURVEY: Mayor Brown would like to put a survey on the water bills to get to the bottom of the water leakages. He asked for suggestions for questions from the Council. McCully asked if he was going to go forward with hiring a company for leak detection. Brown answered that he would like to try this first.

CLOSURE OF YAAK AVE: Between 2nd and 3rd Street - it was Council's consensus to approve the closure of the 200 block on Yaak Avenue ending at 10:00 pm, contingent upon proof of insurance, by the Hotrods and Harley's show organizer. Crystal Denton stated that she was ok with blocking the street if the Home Bar could show the liability on their insurance. Rebo will follow up with contacting them for proof of insurance. If no insurance, then the street will not close.

OLD BUSINESS

CLAIMS: Rebo advised that there are three months of claims up for approval. She stated that the past two months she was instructed to pay them, but approval is still needed. Phil Fisher made the **Motion** to approve the claims in the amount of \$345,628.73 was made by Phil Fisher and seconded by Crystal Denton. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

PUBLIC COMMENTS: Mayor Brown stated that he would like to see a stop sign at the corner of Yaak Avenue and 2nd Street. The flow of traffic should be down Yaak Avenue and not around the corner. He expressed that he feels the sign is in the wrong place.

ADJOURNMENT: Mayor Brown asked for a Motion to adjourn the meeting. Phil Fisher made the **Motion** and Crystal Denton seconded. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully – Y. Meeting adjourned at 8:44 p.m.

Anthony E. Brown, Mayor

ATTEST:

Tracy Rebo, City Clerk/Treasurer