

**Troy City Council Meeting
Council Chambers
July 18, 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: Gary Rose, Linda Rose, Jayne Brown, Donna Rugani, Wayne Maffit, Barbara Pence, Ryan Murray – Western News, Troy Boyd and guest, Susan Monahan – Kootenai Valley Record, Paula Wegner, W.D. Wegner and guest, John Clogston, Heather McDougall, Danette Fisher, and Steve Bowen.

Mayor Brown led the Pledge of Allegiance

PUBLIC COMMENTS: Heather McDougall had questions regarding the City Christmas Tree. The community volunteers suggested cutting into the pavement around the tree and placing Perma Paper to help water the roots. She asked permission to pursue investigating into this. Mayor Tony Brown concurred and asked that she bring more information back to Council.

Gary Rose questioned the status on the City Attorney. Mayor Brown advised that he spoke to L. Charles Evans and he feels there will be a contract soon. The Mayor asked City Clerk Tracy Rebo if she had received it earlier this day and she answered; no. Brown continued; I think we have an agreement, unless it comes back with some drastic changes; we went over it word for word.

MINUTES: Fran McCully made a **Motion** to approve the minutes of June 8, 2012 special meeting No. 1, June 8, 2012 special meeting No. 2, June 14, 2012 work meeting, June 20, 2012 special meeting, June 28, 2012 special meeting, June 28, 2012 budget meeting. Crystal Denton seconded. **Motion Carried.** Fisher-Y, Denton-Y, Arts-Y, and McCully-Y

DEPARTMENT REPORTS: *Mayor:* reported that he has met with the Sherriff and Under Sherriff and discussed the ways to work together and issues that have come up. He advised that he also had a meeting with the County Commissioner regarding water rights. *Council:* had nothing to report. *City Court:* had nothing to report. *Electric Utility, Public Works, and Police Department:* all submitted written reports.

NEW BUSINESS

BUSINESS LICENSE: Bradley Evans Inc. – Consulting Company owned by Jeni Evans, located at 216 E. Missoula Avenue in Troy. Evans was not present. Rebo advised that she has an established business and is just moving it into town. McCully asked what type of consulting and stated her feelings that Evans should be present to answer questions before approving. Mayor Brown **Tabled** the Business License until the next regularly scheduled meeting.

BUSINESS LICENSE: Corner Stone Coffee – Drive through coffee and snack foods shop owned by Paula Wegner located at 914 E Missoula Avenue in Troy. Wegner advised that it is inside the Lake Creek Inn they are the new managers. Mayor Brown asked if they have their food inspection from the sanitarian. Wegner answered; yes. Fisher asked Wegner to bring a copy into City Hall. Phil Fisher made a **Motion** to approve the license contingent upon proof of the health inspection. Crystal Denton seconded. **Motion Carried.** Fisher-Y, Denton-Y, Arts-Y, and McCully-Y

BUSINESS LICENSE: Mountain Top Handy Man Services – Handy man service owned by Troy Boyd located at 567 Forest Drive in the Troy Area. Mayor Brown asked for background. Boyd advised that he had been licensed in the State of Washington as a carpenter and will soon be in Montana. He added that he can fix or repair just about anything. Joe Arts made the **Motion** to approve the business license and Phil Fisher seconded. **Motion Carried.** Fisher-Y, Denton-Y, Arts-Y, and McCully-Y

SAFE ROUTES TO SCHOOL: Mayor Brown advised that he spoke with the Safe Routes to School/CTEP organizers they stated there still is a chance to change the route to use 4th Street. Discussion followed regarding training. **Motion Carried.** Fran McCully entertains **Motion** to have the Mayor enter an agreement to accept the CTEP Safe Routes to Schools. Phil Fisher 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 Fran McCully and seconded by Crystal Denton. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully – Y

RESOLUTION NO. 656: FY 11/12 Budget Amendment - Mayor Brown read aloud Resolution No. 656 to amend the fiscal year 2011/2012 budget allowing the increase of 911 emergency funds. Crystal Denton made the **Motion** to approve Resolution No. 656 and Joe Arts made the second to the motion. **Motion Carried.** Fisher-Y, Denton-Y, Arts-Y, and McCully-Y

RESOLUTION NO. 657: FY 11/12 Budget Amendment - Mayor Brown read aloud Resolution No. 657 to amend the fiscal year 2011/2012 budget allowing to increase the funding for health insurance. Crystal Denton made the **Motion** to approve Resolution No. 657 and Phil Fisher seconded. **Motion Carried.** Fisher-Y, Denton-Y, Arts-Y, and McCully-Y

BUDGET TRANSFERS: Mayor Brown asked City Clerk Tracy Rebo to explain. Rebo advised with examples. Joe Arts made the **Motion** to accept the Budget Transfers and Crystal Denton seconded. **Motion Carried.** Fisher-N, Denton-Y, Arts-Y, and McCully-Y

SALE OF SURPLUS PROPERTY: Open Bids – One bid was received by Dennis Dupuis for \$1,500 for the 1987 Ford truck. McCully stated that it didn't meet the minimum bid of \$2,000. Bid not accepted.

JANITORIAL: Mayor Brown explained that the shop janitor is not needed as the employees should have enough time to clean it themselves, during work hours or on weekend rounds. McCully advised that the janitor also cleans the city hall building. She asked Brown if he just wanted to illuminate the shop from the cleaning schedule. Brown stated; yes. Rebo asked for clarification; understanding that the position will still be doing the apartment hallway and the yurt as well. Mayor Brown advised that he didn't realize the position was to also do the other duties as well and withdrew his idea of eliminating the position.

OLD BUSINESS

IBEW CONTRACT: Mayor Brown read aloud the letter from Larry Langley with the IBEW Union. Discussion: Phil Fisher stated his feelings that he thinks the City needs an attorney because he doesn't see the Union having a right to the financial information. Fisher continued; I don't foresee that we have to give any wage increases. Joe Arts stated that he has negotiated with unions for years for the teachers. He continued; the City needs to get back with the union to talk. The only issue is wages. McCully stated her feelings that we are barely at the beginning of the budget, and because we do not have the funding, we are putting off infrastructure, and

paying wages. McCully stated that last time they contacted Attorney Daniel Johns, and if we do not have an attorney, we should consider contacting Johns to see if he has time to represent us in this. Mayor Brown stated his feelings that the tone of the union letter is premature. Fisher agreed. Brown stated that there are things in the contract that void the contract. There are issues that we can talk to them about. Arts reiterated that the only thing on the table is the wages. Fisher stated his feelings; they are saying everything is in bad faith; all we did was send them a letter telling them there will be no wage increases this year. Brown agreed and stated; I think there are things in the contract that would void it. Arts reiterated that everything except wages can't come up until next year. Mayor Brown stated; if they are saying that pay is for certified linemen and we don't have certified linemen, then that contract is bogus. Brown stated; I'm not saying, don't come sit with us and talk, but raising the sewer and water rates in this town for people with fixed income that make less than \$1,000 per month, is not an option for me. Brown suggested writing a letter back to invite them to talk, and to bring their requests for the information they think they are privy to. McCully reiterated we do not have a budget to give them. McCully made the **Motion** that we do not accept the IBEW contract as presented. Phil Fisher seconded. **Motion Carried.** Fisher – Y, Denton – Y, Arts – N, and McCully – Y. Discussion: Heather McDougall her feelings that the Union knew Banning was under recall, so she questioned that the Union didn't negotiate in good faith with Banning at that time because she didn't think they normally open it up until later in the year. She also stated that she was surprised to see that the budget was so low in health insurance and if that is the case it should be something that is a fairly fixed expense going into budget so when you blow it by almost \$4,000 dollars, it calls for a wage decrease instead of increase. Rebo explained that the budget amendment was to fix the accounts because of the separated funds for wages. A lot of the Public Works department wages came out of General Fund this year unexpectedly. It is a new procedure for FY 11/12 and there may still be one for FY 12/13. Rebo continued; we received more revenue than what we spent this year.

NORTHERN LIGHTS CONTRACT: Mayor Brown stated that he would like to meet with a representative from Northern Lights before we move forward with this contract. He stated that he has had been to the facility and read the agreement. He stated that he feels there are some issues concerning safety. Fran McCully made the **Motion** to table the Northern Lights Contract until the mayor has had time to meet with the representative from Northern Lights to talk about the issues. Crystal Denton seconded. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully – Y. Discussion: Fisher commented regarding City safety section. He stated that Northern Lights is putting the liability onto the City. Gary Rose agreed.

SEWER RATES: Mayor Brown advised that he received a call from a citizen that has sewer hookup and now has to pay. He confirmed this with Rebo. She advised that the notice was on the bill cards that all homes with the service will be charged regardless of occupancy. Brown stated that he was under the impression that vacant lots could be billed. Rebo answered; no, even the lots where homes once were are not being billed right now. She advised that the charge will be on the bill August 1st. Rebo advised that the sewer budget went down again; it is now a negative \$34,000. She advised that she finished the RD report for the sewer and the City may get another slap on the hand, because we are still operating on cash and in the hole. McCully questioned the requirement to meet the reserves. She stated that it was met a year ago and questioned the operating reserve. Rebo explained that there needs to be a bond reserve of \$140,000 and a reserve for future years that we need to add money to every year, and that is the one that was met. She noted that the sewer operating cash started going down when the waste water testing started going up. Fisher asked if the wages were over, because that would contribute to the deficit. There was discussion regarding past due accounts and the ability to place sewer and water debt on the property tax with a lien.

CLAIMS: Fisher questioned the claim for refund for LIEAP. Rebo explained that it is the yearly fuel assistance refund that didn't get used and has to go back. McCully questioned the claim to The Jason Group. It was explained that was for the Swift program for the police department and dispatch. Fisher asked how much the insurance (MMIA) has gone up. Rebo answered that the property damage went up over a thousand dollars and the liability only went up slightly. McCully asked if any increases were due to claims, then stated that we could look back and get a history. Phil Fisher made the **Motion** to approve the claims in the amount of \$94,245.33 was made by Phil Fisher and seconded by Joe Arts. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully - Y

PUBLIC COMMENTS: Rebo advised that MLTC training is in Kalispell this year and she put the registration information in the Council's packets and had rooms reserved. Mayor Brown stated we don't need it and directed Rebo to release the reservations. Rebo stated that she has to go. Mayor Brown stated it is a waste of time and waste money. Fisher stated that he wouldn't go. McCully also said she wouldn't attend. Rebo advised that she needs to go to the MMCT & FOA training as she is the treasurer of the association. Brown stated then the association can buy your ticket. Heather McDougall asked if that meant that nobody will be attending the Right to Know class also. Brown answered; if they want to pay for it themselves, but I'm not in favor of the City paying for it.

ADJOURNMENT: Mayor Brown asked for a Motion to adjourn the meeting. Phil Fisher made the **Motion** and Joe Arts seconded. **Motion Carried.** Fisher – Y, Denton – Y, Arts – Y, and McCully – Y. Meeting adjourned at 8:05 p.m.

Anthony E. Brown, Mayor

ATTEST:

Tracy Rebo, City Clerk/Treasurer