

**Troy Council Meeting  
Council Chambers  
October 16, 2013  
7:00 pm**

The meeting came to order at 7:00 pm. Present: Mayor Anthony Brown, and Council: Phil Fisher, Fran McCully, Joe Arts, and Crystal Denton, City Attorney Heather McDougall, and City Clerk Tracy Rebo.

**GUESTS:** James Winslow, John Erickson, Linda Newstrom-Rodriguez, Ron Ackerman, Michael Shipps and guest, Susie Taylor, Clint Taylor, John Clogston, Bruce Edwards, Abbie miller, Jeni Bradley Evans, Donna Rugani, Jayne Brown, Zach McNew, Ragan Thom and guest, and Phil Johnson.

Mayor Brown led the Pledge of Allegiance

**PUBLIC COMMENTS:**

Bruce Edwards stated that he is purchasing a home at 417 Spokane Ave. where the sewer was installed there is a hole. Water fills the hole and it doesn't go away. He continued; the contractor had a one year warranty to come back and fix things, but he moved in after and is stuck with the problem. The issue could be an ice problem in the roadway. He stated that 2 yards of gravel would work. Mayor Brown stated that he would have the Public Works crew follow up on the issue.

John Erickson wanted to bring attention to Agenda 21 of (ICLEI) International Council of Local Environmental Issues. He stated that according to the UN plan, this area will be uninhabitable with no people allowed. It's a strip of land that runs from the Canadian border to south central Idaho. It could be overrun and he wanted Council to be aware. He offered information to those interested. Discussion followed.

James Winslow stated his protest for the water charges in his trailer court. He stated that he receives a water bill where there are no resident lines and it is not right. On another issue, Winslow mentioned that the he would like to have access opened to his back property off of the dedicated streets, as it is prime building for residential development. Mayor Brown explained that he and council hear many complaints regarding the water and sewer policies. He explained that the policies became effective when the services were put in and are necessary for maintenance. Discussion followed regarding removing the service.

Ragan Thom expressed her concerns regarding the gate or fence behind her apartment that blocks the alleyway and stated that it bothers her that emergency traffic cannot get through. Heather McDougall explained that it is her private property. Thom presented the Mayor with a letter.

**MINUTES:** Joe Arts made a **Motion** to approve the minutes of Council Special Meeting #2 on August 29, 2013, Council Special Meeting #3 on August 29, 2013, and Council Work Meeting on September 12, 2013, and Council Meeting on September 18, 2013 and Crystal Denton seconded the motion. **Motion Carried.**

**DEPARTMENT REPORTS:** *Mayor* – stated that his reports are on the Agenda and will be discussed later in this meeting. *Council* – None. *City Hall-* Tracy Rebo updated on the new hand held for meter reading and the training for it. A brief update was given regarding the MLCT training in Helena. *Power-* Clint Taylor informed council of the duties his crew has been doing. He stated that he has been focusing on Iron Creek getting ready for winter. They have been clearing trees on Stimpson property. They replaced poles, getting ready to transfer wires. He advised of replacing old equipment on poles with new to avoid fires, like the one that happened near his shop. Taylor advised of all the maintenance at the Dam and updated Council on the Electric system audit. All other departments submitted written reports.

### **NEW BUSINESS:**

**BUSINESS LICENSES:** Yaak River Trading Company, Owner: Jeni Bradley Evans. Location: 38 Callahan Creek Road in Troy. Evans explained that it will be a store front for repurposed and local products. **Motion** to approve the business license for Yaak River Trading Company was made by Joe Arts and seconded by Phil Fisher. **Motion Carried.**

**ZACH McNEW: Proposal of Fitness trail at Roosevelt Park:** McNew introduced himself as a representative of the Troy Parks and Recreation Commission. He stated that they would like to build a fitness trail at Roosevelt Park and donate it back to the City. It was requested that the City Clerk would present it to MMIA and will give an update on what their decision is on the liability. McCully asked if he would present a more specific design. McNew answered that he can if needed. Fisher asked if only the existing path would be used and no additional trails made. McNew answered, no; but there was discussion of continuing it to connect with the airport walking path, but there would have been additional permitting required that isn't feasible at this time. Fisher and Denton agreed that it had to go through the City's insurance. A starting point was discussed. Mayor Brown stated that it will be followed up with the Insurance and McNew will be contacted.

**CEMETERY:** Brown stated that he is not in favor of logging at this time and explained. He requested submitting a request for an extension of the Fire Wise Grant. He also advised that the City will be doing all the digging of graves in the cemetery. He would like to purchase planks and a grass carpet, and a metal cage for digging to avoid cave-ins. He also showed interest in getting quotes for a lowering device. Rebo asked about the cost and if it needed to be in a resolution. McDougall agreed that it should be along with the cost of the plots. Mayor Brown asked Rebo to put it on the work meeting agenda.

**ADMINISTRATIVE ASSISTANT:** Mayor Brown explained that Brad Jones is on leave. Brown advised that he has been in contact with him and Jones requested remaining on the health insurance until the 1<sup>st</sup> of the year. It was consensus to not allow the extension of insurance and inform Jones of the cobra program the insurance has. .

**SAFE ROUTES TO SCHOOL GRANT:** Mayor Brown explained the changes to the route. The costs of the route changes for engineering were to be shared with the Troy Public Schools. Brown advised that there will be no more funding through CTEP, so if the remaining \$8,800 is not spent, it will be forfeited. Rebo pointed out an email from the

DOT-CTEP project engineer suggesting the location. Phil Fisher made a **Motion** to accept the changes and Crystal Denton seconded. **Motion Carried.**

**LAST CHANCE AGREEMENT-Drug & Alcohol Policy:** McDougall explained her research that TR Lane recommends that there is no Last Chance Agreement, and that it is termination if the employee fails the test. She explained the choice of providing it in the policy if Council wants to, or; she stated that it is only a couple references to it. You could delete "i" on page 2 "require a last chance agreement". You would delete the last chance agreement on page 8, and then right above it, it that references the last chance agreement, and then you would change part of page 9. So, you can just eliminate, and then also on the very last page is where they talk about the waiver and "I'll be subject to the last chance agreement"; but you can still say, "I will be terminated without further notice", so if you don't want to, you have to write something because the policy referencing the last chance agreement, but you can also change your policy and eliminate the last chance agreement. Fran McCully asked for clarification by stating; so what you were just telling us, if we don't accept the last chance, those are the changes. McDougall agreed and added; then you have to wait 60 days and notify the employees, and then it goes into effect. McDougall stated that she was surprised that the TR Lane representative recommended taking it out. Mayor Brown stated; I say take it out. Crystal Denton stated; I say leave it in. Fran McCully stated that she is for removing it. Fisher agreed with McCully. Phil Fisher made the **Motion** to take the Last Chance Agreement out and make a new policy. Fran McCully seconded the motion. **Motion Carried** with the tie breaking vote by the Mayor. Fisher- Y, McCully – Y, Arts – N, Denton – N.

**CLAIMS:** Mayor Brown asked if there were any questions regarding the claims. McCully asked for clarification on the Ductless Heat Pumps. Taylor explained. Phil Fisher made a **Motion** to approve the claims in the amount of \$ 75,663.01 and Joe Arts seconded. **Motion Carried.**

**PUBLIC COMMENTS:** Susie Taylor asked if there would be time to get the Safe Routes To School Grant through prior to the program ending. He answered; yes. She asked if there was a timeline on how long the City has to complete it. Rebo explained the process and added that the construction probably wouldn't start until April of 2014.

**ADJOURN:** Crystal Denton made a **Motion** to adjourn the meeting and Phil Fisher seconded. **Motion Carried.** Meeting adjourned at 8:05 p.m.

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Anthony E. Brown, Mayor

ATTEST:

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Tracy Rebo, City Clerk/Treasurer