

**Troy Council Meeting  
Council Chambers  
November 20, 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:** Ron Rebo, Linda Rodriguez, Donna Rugani, Jayne Brown, Zach McNew, John Clogston, Darren Coldwell, and Phil Johnson.

Mayor Brown led the Pledge of Allegiance

**PUBLIC COMMENTS:** None

**MINUTES:** Mayor Brown asked if Council has reviewed the minutes and called for the Motion. Crystal Denton made a **Motion** to approve the minutes of the Council Meeting on October 16, 2013. Joe Arts seconded the motion. **Motion Carried.**

**DEPARTMENT REPORTS:** *Council* – Crystal Denton requested an email be sent to the Police Commission requesting all present during the new officer selection procedure and if someone cannot be there have it postponed until all can be present. Fran McCully requested an update on the water project. There was discussion between McCully and the Mayor regarding the Fire Wise Project and the Water Project. *Mayor* – Brown introduced Mayor elect Darren Coldwell. All other departments submitted written reports.

**NEW BUSINESS:**

**BUSINESS LICENSES:** ZT Enterprises, Owners: Zach and Tracy McNew, Location is 317 California Ave. in Libby, Montana. McNew gave a brief description of his businesses. One being property management doing business as Town and Country, another one doing business as Windows, Doors, and More, and the last one doing business as Sunshine Vending. Crystal Denton mentioned that Vending is not on his application and asked it to be listed. Tracy Rebo advised that because it is a completely different type of business that may require additional permitting, it would need to have its own license. McNew stated that he didn't have a problem getting a different business license for the vending and the window businesses. McNew brought up that property management is like a realtor and they do not need to have local business licenses. City Attorney Heather McDougall gave her opinion that because it is an Enterprise, it may only need to have one license but she would need to research more. **Motion** to approve the business license for ZT Enterprises contingent on the findings of the City Attorney was made by Crystal Denton and seconded by Phil Fisher. **Motion Carried.**

**FITNESS TRAIL (Old Business):** Mayor Brown questioned the liability issue and wanted an opinion from the City's Insurance. Fisher questioned how it was made and expressed his concerns. McCully asked if the Public Works Director had looked at it. She expressed that it is nice to receive gifts but what about the financial obligation.

Fisher made a **Motion** to table the fitness trail until the regular meeting on December 18<sup>th</sup>, 2013. Fran McCully seconded the motion. **Motion Carried.**

**RPA Pay Request No.2 – Safe Routes to School-** Rebo advised that she will contact the RPA to see if this invoice includes what the school agreed to pay. She updated the changes and estimated that ground will not break until April of 2014. Crystal Denton made a **Motion** to approve Pay Request No.2 to RPA Engineering for \$4025.00 and Joe Arts seconded. **Motion Carried.** Denton – Y, Arts – Y, McCully – Y, Fisher - N

**ALLEY CLOSURE: Behind Pine Tree Plaza-** Mayor Brown brought forward a complaint by a citizen whom resides to the closure. Mayor Brown stated that he is in agreement with the concerned citizen because it poses an issue for emergency traffic. McCully stated; it is not in the City, It is not our jurisdiction and not our problem. Brown asked if the property past it, the Silver Spur in the City limits. Rebo replied yes. McCully answered; but that is on the highway. Fisher asked where the alley property line legally stops. Brown wasn't sure, but McDougall said she could point it out on the map. Fisher brought up the utility easements for the alley. Owner, Heather McDougall stated that she had no problem giving the City the key to the gate. Mayor Brown asked; what about prescriptive use. Discussion on issuing an easement for the power lines that go through the property. McDougall will follow up.

#### **OLD BUSINESS:**

**CEMETERY TRENCH BOX:** Mayor Brown presented Rebo's research and explained the plans and asked Council for consideration on the purchase of either the materials to build it or to have a manufacturer build a trench box for the Cemetery. McCully asked if it had to be certified. Fisher recommended Montana Machinery build it. Denton asked if MMIA had seen the brochure. Mayor Brown will follow up by taking the information to Montana Machinery for a price quote on a build. **Motion** to table until the December Meeting was made by Phil Fisher and the second by Crystal Denton. **Motion Carried.**

**CHRISTMAS TREE LIGHTING: Approve purchase of children's goody bags-** Mayor Brown called for Motion on the consideration to purchase goody bags for the children at the Community Christmas Tree Lighting. Joe Arts made the **Motion** to approve the purchase of the goody bags with a maximum of \$200 and Phil Fisher seconded. **Motion Carried.**

**APPROVAL FOR SALE OF VEHICLES: 2003 Dodge Dakota and 1999 Jeep –** Rebo advised that the NADA values came in lower. Discussion regarding the minimum bids took place. Phil Fisher made the **Motion** to approve the sale of the 2003 Dodge Dakota and 1999 Jeep with minimum bids of \$500 for the Jeep and \$1000 for the Dodge Dakota. Fran McCully seconded the motion. **Motion Carried.**

**CLAIMS:** Mayor Brown asked if there were any questions regarding the claims. Joe Arts made a **Motion** to approve the claims in the amount of \$ 70,590.47 and Crystal Denton seconded. **Motion Carried.**

**ADJOURN:** Joe Arts made a **Motion** to adjourn the meeting and Crystal Denton seconded. **Motion Carried.** Meeting adjourned at 7:44 p.m.

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Anthony E. Brown, Mayor

ATTEST:

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Tracy Rebo, City Clerk/Treasurer