

**Troy Council Meeting
Council Chambers
February 24, 2014
6:30 pm**

The meeting came to order at 6:30 pm. Present: Mayor Darren Coldwell, Council: Crystal Denton, Joe Arts, Dallas Carr, and Kimberly Rowse; City Attorney Heather McDougall, and City Clerk Tracy Rebo.

GUESTS: Ron Rebo, Linda Rose and Gary Rose, Jackie Lee, Bob Lee, Bob Welch, Joyce Welch, Andrew Maling, Terri Dack, Clint Taylor, Fran McCully, Allison Lundin, Sharon Johnson, Linda Rodriguez, Tony Brown, John Clogston, Donna Rugani, Jayne Brown, and Susie Taylor

MINUTES: The Minutes of November 6, 2013 Special Council Meeting, November 14, 2013 Work Meeting, November 20, 2013 Council Meeting, January 2, 2014 Council Meeting, January 9, 2014 Work Meeting, January 15, 2014 Council Meeting, and January 29, 2014 Special Council Meeting were presented to Council. **Motion** to approve all minutes submitted was made by Crystal Denton and seconded by Dallas Carr. **Motion Carried.**

DEPARTMENT REPORTS: All departments submitted written reports.

NEW BUSINESS

BUSINESS LICENSES:

Boondocks Shop & Save: Consignment and thrift store; Owner: Brian and Robbie Tackett, Location: 407 N 2nd Street in Troy Montana.

Kootenai Valley Tax: Tax and financial services; Owner: Kip Hartman, Location: 501 E Missoula Avenue in Troy Montana.

Krafty MK Sewing: Manufacturing and selling handmade crafts; Owner: Misty Koch, Location: 305 S 6th Street in Troy Montana.

Polaris Seed LTD.: Handyman services; Owner: Andrew Cole Maling, Location: Troy Montana.

Welch's Recycling: Collection of materials to recycle; Owner: Dennis and Betty Welch, Location: 508 St. Regis Road in Troy Montana.

Crystal Denton made a **Motion** to approve the new Business Licenses for Polaris Seed Ltd. And Kootenai Valley Tax. Crystal Denton amended her **Motion** to include Boondocks Shop & Save and Krafty MK Sewing. Joe Arts seconded and **Motion Carried.** Welch's Recycling was not approved.

RPA: Pay Request No. 3 – Engineering services for Safe Routes to School in the amount of \$2,630.00. Mayor Coldwell stated that if anyone wanted to see the information for the invoice he has it. Tony Brown asked if there were any changes. Coldwell

answered; no and added that it will go down Forth Street to the activity center. **Motion** to approve RPA Pay Request No. 3 in the amount of \$2,630.00 was made by Joe Arts, second by Dallas Carr. **Motion Carried.**

OLD BUSINESS

FITNESS TRAIL: Mayor Coldwell explained the plan and equipment to the guests. He added that the City's Insurance has also been consulted and sees no problems. Kimberley reminded Coldwell that Zach McNew was going to present a schematic. Coldwell agreed and stated that he would assign a committee. **Motion** to accept the donation of the Fitness Trail by Troy Rec was made Crystal Denton, pending selection of location to be determined by Mayor and Council, second by Kimberly Rowse. **Motion Carried.**

POST REPRESENTATIVE CLAIM: Mayor Coldwell opened subject to audience prior to any Council discussion. Fran McCully read aloud her prepared statement. Gary Rose also read aloud a prepared statement. Tony Brown questioned the City's responsibility to pay Chief McLeod's legal fees. He stated that the statue is a civil action statute. He continued that nowhere in that statute does he find discussion of an administrative procedure. Discussion followed. Tony Brown asked if there was an itemized invoice of the fees that Council is contemplating paying. Coldwell answered; yes. Mayor Coldwell advised of his research and feelings of having to pay the fees. He also advised of the amounts and stated that through negotiations, both attorney Flaherty and McLeod settled for less. He stated that he realizes that a lot of people take this serious and he does too. He asked if there was anything further before moving forth to the vote. McDougall suggested getting a waiver before any monies are released that he won't come back on the employees. Coldwell agreed, and added, and past representatives of the City as well. Joe Arts made the **Motion** to pay the attorney fees of \$10,000 to attorney Flaherty with the condition that he sign a waiver before any funds are released; and to Robert McLeod for \$12,713 with the same condition of signed waiver; and to be paid this fiscal year, second by Crystal Denton. **Motion Carried.**

RESOLUTION No. 675: Amend FY 13/14 Budget to include additional monies for training: Discussion was held on the additional monies needed for the deputy clerk to go to training and the Mayor to go to training. **Motion** to approve Resolution No 675 was made by Crystal Denton, and second by Dallas Carr. **Motion Carried.**

RESOLUTION No 676: Governmental Review- Mayor Coldwell advised of the complicated and expensive process of reviewing the form of government, and that it is mandated by the State by every city and town in the State. He stated that it has to be put on the ballot for the citizens to review and a motion needs to be made for it to be on the ballot. He continued; three people will have to be appointed to review the process, and if it passes; \$10,000 per year for three years will need to be set aside to administer it. If it doesn't pass, there will be no need for the funds. He gave more explanation. Motion to approve Resolution No 676 was made by Kimberly Rowse, second by Crystal Denton. **Motion Carried.**

RESOLUTION No 677: MMIA to approve the Revised and Restated Workers Compensation Program- Coldwell explained the Resolution and advised of the research by himself and City Attorney McDougall. Motion to approve Resolution No 777 was made by Joe Arts, second by Kimberly Rowse. **Motion Carried.**

RESOLUTION No. 678: Water Utility Policy- Mayor Coldwell advised that he is not sure that it is ready to proceed. He advised that Troy doesn't have a policy on this at the moment. He feels that the monetary amount of \$350 is not too expensive. He added; that almost no communities allow pits to be removed and customers have to pay the fee regardless. He discussed his research of various towns' fees that range from \$25 to well over \$3,000.00. Coldwell stated that there is no standardized policy and the fees depend on the cash flow of the city. **Motion** to table Resolution No 678 until March 19, 2014 was made by Crystal Denton, second by Kimberly Rowse. **Motion Carried.**

CLAIMS: Coldwell asked if there was any discussion: Fran McCully brought up the TCO rebate and asked why it was going to another party. Coldwell answered that it was a request by the owner to have the check placed in the installer's name. **Motion** to approve the claims in the amount of \$168,690.73 was made by Joe Arts and second by Crystal Denton. **Motion Carried.**

PUBLIC COMMENTS: None.

ADJOURN: **Motion** to adjourn at 7:16 pm was made by Crystal Denton, second by Dallas Carr. **Motion Carried.**

Darren Coldwell, Mayor

ATTEST:

Tracy Rebo, City Clerk/Treasurer