

CITY OF POLSON COMMISSION MEETING

Commission Chambers

April 4, 2016

7:00 p.m.

ATTENDANCE: Mayor Heather Knutson, Commissioners Coutts, Donovan, Erickson, Siler, Southerland, and Turner, City Manager Mark Shrives, City Clerk Cora Pritt

OTHERS PRESENT (who voluntarily signed in): Bruce Agrella, Hu Beaver, Elsa Duford, Dennis Duty, Lita Fonda, Mike Lies, Bonnie Manicke, Lee Manicke, Rick Newman, and Jeff Walla

CALL TO ORDER: (00:30) Mayor Knutson called the meeting to order. The Pledge of Allegiance was recited. Roll call was taken.

APPROVAL OF PROPOSED AGENDA (01:26) - Commissioner Southerland motion to approve the proposed agenda. Commissioner Erickson second. City Commission discussion: none Public comment: none **VOTE: Unanimous Motion carried**

PUBLIC HEARING-POLSON DEVELOPMENT CODE (02:00)

City Planner Kyle Roberts gave a brief summary of the public comments received regarding the set back from the lake. There seems to be some confusion. Ordinance #551 adopted the Lake County Lake Shore Protection Regulations and creates the City as the administrator within the City limits. These regulations govern from the mean high water mark of Flathead Lake to 20 feet inland. The Lakeshore Protection Regulations can be supplemented with an additional 30 feet and that is the current Development Code as well as the newly proposed Development Code. The City County Planning Board made the recommendation that in the Resort Zoning District the set-back should be 20 feet. The 50 foot would apply to all other zones. For readability purpose it is recommended that this text be added to the Specification Tables.

Margie Hendricks-addressed an issue to the City three times. The letter is in regard to the Polson Development Code hearing. Both the new Development Code and the 1993 Development Code state that driveways accessing an arterial shall be at least 200 feet from any other point of access, other driveways, or intersections. Hillcrest Drive and 7th Avenue have been historically seen as an arterial by the State of Montana Department of Transportation and the City. In 2005 Cougar Ridge, now renamed Ridgewater Subdivision went through preliminary plat approval proposing the largest subdivision the City had seen. The subdivision proposed 60 commercial lots, 145 single family residence lots, and 119 multiple housing lots. Hillcrest Drive was proposed as an access road for the subdivision. Hillcrest Drives is a substandard road, 23 feet wide. The developer, a City Councilman, and the head of the Planning Department voiced the opinion that Hillcrest Drive did not need the walking path, an additional 5 feet along one side of the road. The citizens living on Hillcrest Drive or accessing their lots off of Hillcrest tried to articulate their concerns about the road and the walking path but were told that the preliminary plat hearings were concerned with only Phase I. The development and issues concerning Hillcrest could not be heard until Phase III. No hearing has yet taken place. Residents on 15th Avenue East and Claffey Drive both voiced strong concerns about their roads being used as an access for the subdivision and as a result, the City Planning Board required the developer get a traffic study. The developer hired Sterling Engineering to do the Traffic Report. The 2005 Traffic Impact Report, page 8 says: "In the study area, the City of Polson defines U.S. Highway 93, Montana Highway 35, and 7th Avenue/Hillcrest as arterial streets." Under 3.1 Site Access location page 12, 3.1.6, Access 8, "Hillcrest Drive connection it states this would be a new roadway built to connect to Hillcrest Drive which connects 7th Avenue to the west. This access would not be constructed until final build out conditions." Turning lanes on Hillcrest were also required in this

study. Ridgewater Subdivision anticipated they didn't have enough room on their lot adjacent to Hillcrest to build the road and the 50 foot turn lanes required on each side of the road. They negotiated with neighbors to combine their road access with an existing road on adjacent property. Or next to the adjacent property. In 2005 the City tried to do away with the name Hillcrest Drive and make all of the road 7th Avenue. The citizens petitioned to keep the name Hillcrest Drive. Neither the 1993 Code nor the newly prepared proposed Development Code spells out clearly where the arterials are in the City. The new Development Code addresses the issue in Chapter 4, Off-street parking performance standards. Number 11, under section O titled Off-street Parking and Loading Area says, "Driveways accessing an arterial shall be at least 200 feet from any point of access." A two-lot subdivision was recently given final approval to build a road 12 feet from an existing road on Hillcrest Drive, in violation of the Development Code. The reason a mistake was made regarding the two-lot subdivision was because the City Planner unfamiliar with the area evaluated the two-lot subdivision proposal based on what she saw in a code. The surveyor, who proposed the subdivision plan, was also most likely unfamiliar with the history of the road. The City Manager, Mayor, and City Commissioners likely didn't know about the history of Hillcrest /7th Avenue designation. This mistake makes it clear that 7th Avenue/Hillcrest arterial needs to be spelled out in the new Code. A question needs to be addressed concerning the implications of a mistake made concerning Hillcrest Drive. The City was informed about the mistake concerning the arterial June 18, 2015, nearly nine months before the two-lot subdivision was given final plat approval. Does the fact the City was informed and knew the subdivision proposed violated the intent of the Development Code compromise decisions made regarding the Ridgewater access onto Hillcrest Drive. Can Ridgewater now say they can't be required to follow the rules regarding an arterial when others aren't required to do so? Has a precedence been set regarding future applications to access roads onto Hillcrest Drive? Thank you.

Mark Johnston-Ward I-This evening I am talking on behalf of the Flathead Lakers, on which I am a board member. They actually presented, I think, the objection to the City County Planning Board and Kyle about the set-backs in the Resort district. It had gone from 50 feet to now encroaching within 20 feet of lake. There's a concern by the Lakers that that was getting too close to the lake and there would be some issues with that even though it was a very small area concerning those Resort district areas. As the Lakers, we appreciate you guys even listen to us to begin with. Heather read the letter two weeks ago in the first voting on the proposed Code. We appreciate that we were even heard. Over the last couple of weeks I've had some conversations with Joslyn, who's the Chair of that City County Planning Board, I think I talked with Heather a little bit, I think then Joslyn talked with other members of the Council, then the Planning Department. The Lakers appreciate that you are even investigating this and putting some time into it. We realize it is the 11th hour of a document that's 200 pages thick. So, there are some conditions for amendments at future times. I think we may come back and try to address that set-back too. The way the Lakers look at it, it's like a death by a 1,000 cuts. Maybe there's a slight encroachment in one part of the lake today but then it's another one tomorrow and another one the next day. Singularly they don't add up, or singularly it doesn't make a whole lot of difference but as they add up over time then it encroaches more and more on the valuable asset that is the lake. That's where the 1500 member Lakers group has a big concern. So I just want to address that and say we appreciate you guys even listening to us in the first place. We may look at the amendment criteria to address it in the future but at this time just wanted to say thanks and take care of the lake and try to maybe get us involved if there's some encroachment on the lake in the future. Thank you.

Hu Beaver, Hu Beaver Builder-I'm just commenting on the Resort Commercial area just for the fact that I am a land owner. Knowing what I've had to do in past with being close to the lake, I mean a lot of times you don't have to be closer than 50 feet but there's times when it would be better if there wasn't rules. If you wanted to go 40 or 30 you had that option. Any time we're close to the lake, we play by different rules in this Resort Commercial because we have to take all of our storm water, it goes through our storm drains into filter systems and everything I've been associated with Bear Harbor, Shores, Watermark, we all had filter systems that go into the lake even though we are 50 feet. So we're playing by different rules. It's just in the City limits that this is happening. So I think it's a great thing that you

have flexibility if somebody needs it. That would be my concern. I mean I'm all about the lake too. I'm a Laker myself but it's good for the town and any resort development.

Elsa Duford-Ward III-I hardly know where to begin with this. So I will go back and part of what I wanted to say overlaps with what's on the City minutes. Can I use that now? It's all related to the Development Code. Mayor Knutson, "We're talking just the proposed Development Code. So any specific element on the proposed Development Code. Those are the comments that we're looking for right now. Comments on the minutes would be when we go back to regular session." Elsa Duford commented I will save that I guess that part for the minutes then. I do want to bring something else to your attention. In order to be informed as the Council is so that we can communicate on the same level, hopefully, it is very frustrating to try to read these massive amount of pages on the computer. And so I just wanted to tell you how it would work. If I wanted to get a copy made at City Hall," Mayor Knutson paused Elsa for one moment to comment that we are looking for specific comment on the Development Code. Elsa Duford- I know. The Development Code is what I am talking about. To get the same information that you have, that we can communicate on this, one copy would cost \$37.80 for a citizen to get what you have so that we had the same information. On the last one, it was 191 pages and at \$.30 cents a copy it would cost \$57.30. What I'm trying to get across is that if we don't have the same information that you have we're at a disadvantage and I'll tell you it is very tough to read it off the internet. Mayor Knutson comments that we had talked about this before. You have a jump drive we could get it for you. It's a much better deal. Elsa Duford comments that yes, we did that before. In case you just stop and think a minute about it, because as citizens and tax payers we are actually paying for all of your paperwork you get. On top of that if we want to know the same thing we have to pay again. So I will comment on the other during the minutes.

Lita Fonda-Ward I-I just wanted to say that a while back you all got a document from me that had some questions and comments. I just hope you consider those. Ultimately it is your decision and a lot of those were just things that I was hoping you would think about. So thank you for taking the time to do that. I'll just assume that you did that. I did want to just highlight a couple of points. I have paper, same size, 50%, 75% (note: Lita was folding the paper to 50% and 75%). When people talk about 50% lot coverage they don't always realize what it looks like if you put it in the middle. There's 75. Put it the other way, I don't know how to fold this to make it come out to 80%. But I'm a little concerned about 80% coverage in the Resort Zoning District. Resort Zoning District is both residential and commercial. As the revision has proposed it's got a lot more uses and things specified than it used to have. 80 seems awfully high for along the river and the lake which is kind of, for many people see that as the life blood of the town. I would just like to see us take better care and maybe keep that at 55%. At one point when the draft went from committee to the City County Planning Board there was 55% and you could get a bonus if you left lots of some percentage of view to the lake and river. So I would like you to consider putting that back in. Back at 55%. I support the Lakers comments both on the 80%, reducing the 80 to 55 and also the set-back returning that back to 50 from 20. Sounds like they are willing to go through the amendment process but it seems like it would be simpler just to adjust it now. That seems reasonable. Or maybe there's some other number. While I'm up here I can't but resist saying thanks for supporting OTZD and again if you need any facts or information on that, I've got lots of it. The other comments I was going to make, I originally got involved with this as a citizen with a good background because I had dealt with this extensively at the City. What happened was there was the lot next to mine was permitted improperly. There was a lot of confusion over gravel. One of the comments in the note that I sent you had to do with an example on, I think it's on page 72 of the draft, I've seen so many drafts I do apologize if my page number is off. It talked about temporary non-conforming use, surfaces, or structures and gave some examples. I had asked in my comments just that to clarify that a little bit so that it was absolutely clear that you couldn't just pave something that was gravel. They weren't the same. So I will reiterate that comment here. I have a little bit of concern with the lot coverage definition change where decks would no longer be considered lot coverage. That was because they added a deck on their plan too so even though their over their lot coverage they wanted to add more. If that definition changes it seems like they

could just cover their lot with decks. So that was a concern too. Anyway, thank you for all your work on this. It's much appreciated.

PUBLIC HEARING CLOSED AT 7:27 P.M. (27:31)

PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC **NOT ON THE AGENDA (27:38)-none**

CONSENT AGENDA (28:23)-(a). March 18-31, 2016 claims, (b). City Commission meeting Minutes March 21, 2016, **Commissioner Coutts motion to approve the Consent Agenda. Commissioner Turner second.** Commission discussion: none Public comment: **Elsa Duford** –Ward III-Part of this, what I want to say applies to both. I was led to believe some very different things here apparently that were not consistent with what was in this Code. I want to make a correction to the minutes. It's on page 4 of the minutes. Where it says in the first paragraph, "she thinks this needs to be looked at. She can't agree with the penalty attached to for making use of their homes especially seniors. Long-time residents should" I think it should be ***NOT BE*** penalized for making use of their homes. And especially seniors if they need the extra income. Also, I have to go back a few pages here, where Lita comments on page 5, "I was listening to what Elsa had to say. What I heard may not have been what she meant. It sounds like she was talking about an apartment within a dwelling. That is already allowed in the current Development Code and would be allowed in a revised Code. The part with accessory dwelling would be a separate detached dwelling and it was done very carefully. In Low Residential, I believe that is the district that Elsa lives in, you could have a mother-in-law apartment but in order to have an accessory dwelling the way the Code is currently written you would need to have an acre." I think I brought that up at the last meeting the differences in all this but it's not in these minutes. Mother-in-Law apartment, I have not seen that written into the Code. Is there such a thing as Mother-in-Law apartments? Mayor Knutson, I think what it is referring to is within your own home. You could have an area. Elsa Duford, I don't see a place where it specifically states that. Mayor Knutson, Right and I think that's because we wouldn't necessarily monitor that particular thing. It's only when there's additional buildings being structures being placed on the property but within your own home, you could have a section of your home that is for Mother-in-Law purposes. Elsa Duford, Okay. Well I think that needs to be clarified in the Code that there is such a section that is classified as that. I think there's still issues that need to be looked at again. So I don't think this is ready for a vote at all. Then Sam Jacobson spoke and he said, "She spoke to just one issue we're in the middle of how do we enforce this?" That's on page 4. About being like police checking residents and all that type of thing. This has been going on for 7 years and I think people had good intentions probably when they started this but I think it has gotten to be so involved and when he said, "We have way too many things in the City that are already in violation and are not a good way to fix it. Sending a complaint letter to the City attorney is about the only way to enforce a lot of these regulations. We haven't come up with a good solution." Right now, once it is done and constructed it will require a citizen's complaint to the City attorney. This is getting way far-fetched as to what a citizen can do because of the way these codes are written. I think Sam said it very well. You've got a lot of these things called ordinances and regulations you can't enforce them. And so I don't think this is anywhere near ready even as hard as people have worked on it to try and make it work for Polson. This isn't ready for a vote tonight. For a decision. I think you would be making a huge mistake. Mayor Knutson, We're talking about the minutes. Elsa, Yes. Well I told you at the beginning this was interconnected to what I wanted to say earlier. But I'll just bring this up now. I also don't think that the...well it's interchanged so I can't separate them. I'm sorry. It also says that on the Whereas sheet the proposed subdivision ordinance includes the administrative materials as attachments which would allow for reasonable administration of the ordinance. Such materials may be amended from time to time by the City Manager without further amendments to this ordinance. Well I am going to be very much opposed to having any amendments made to these documents that don't go before a public hearing and the Board to know what is being amended. That is not okay with me. Mayor Knutson, Okay. And that is on Agenda Item #9. Elsa Duford, It is. Like I said they are intermingled. They are cross referenced and it is very (inaudible). Mayor Knutson, I understand. Elsa Duford, Thank you. Mayor Knutson, So with that

and some of the stuff that Elsa is referring to is again is going to be on Agenda Item #9. But specifically I agree with her change there to "NOT" to be added. I remember that being in the context of her statement. City Manager Shrives, I want to remind you of one thing though. These are not the official minutes. Mayor Knutson, I know, I know. City Manager Shrives, The official minutes is the tape. Mayor Knutson, I understand. These are published. City Manager Shrives, To change these minutes isn't necessarily something we need to always do because the official minutes is the recording. Mayor Knutson, I understand but I think (inaudible). Non-identified speaker, Where are the official minutes located? Mayor Knutson, The official minutes are recorded minutes. The recording gets put up on the website, those are the official minutes that we have. These ones are written minutes but the official ones that we are approving are the actual audio minutes that we have. Mayor Knutson, Commissioner Coutts and Donovan I would like to suggest that we do the approval with the change that Elsa noted on page 4 adding "NOT" to long term residents should NOT be penalized for making use of their homes. Are you guys okay with making that change? Commissioner Coutts, Yes. Commissioner Donovan, Yes.

VOTE: Unanimous Motion carried.

CITY MANAGER COMMENTS (37:18)-City Manager Shrives commented on the following: The Polson Police Department will be partnering with Pizza Hut on Tuesday, April 5th from 5:00 p.m.-9:00 p.m. to benefit the Montana Special Olympics. The Polson Police Department will be waiting on tables and 10% of every order taken will be donated to the Special Olympics. For every dollar donated, 60 cents will go towards Polson community athletes. The other 40 cents stays in Montana to help fund the other Montana Special Olympic programs.

APPROVE SECOND READING OF ORDINANCE 2016-003 TO ADOPT THE ZONING REGULATIONS AND ZONING MAP FOR THE CITY OF POLSON DEVELOPMENT CODE 2016 (38:27)-City Planner Kyle Roberts presented this agenda item. Staff has made the recommended changes to the Zoning Map. Staff recommends approval. **Commissioner Turner motion to approve the second reading of the Zoning Ordinance number 2016-004 to adopt the 2016 Polson Development Code and Zoning Districts Map with the recommendation that staff add minimum setback from the Lake, River, or Stream to the specification standards tables of the four zoning districts abutting the lake. Commissioner Southerland second.** Commission discussion: Public comment: Mayor Knutson asked City Planner Roberts about the lot coverage in Resort Zoning District (RZD) to be lesser lot coverage with offering views of the lake. City Planner Roberts replied it was originally written in the draft code. If the development afforded views of the lake the developer could have a lot coverage that would go from 55% to a maximum of 75%. The View Corridor was a standard that was recommended to be stricken from the Code. City Manager Shrives commented that it was based on public comment received. The Board discussed this and determined the percentage to be 80, striking the bonus and the view corridor. Mayor Knutson asked Dave DeGrandpre if he had anything to add to this. Dave DeGrandpre commented that it is public good vs. private good. On the public side, the view of the lake has historically been maintaining the views of the lake is important to the economic development of the City. Developers were offer the incentive to maintain some of those views in RZD. The Development Code Re-write Committee debated this and discussed it back and forth. The Planning Board, based on public comment, where they came in was to do away with the incentive and allow a higher maximum lot coverage in the RZD. Mayor Knutson asked about the set-back of 20 feet or 50 feet. Dave DeGrandpre commented that the Re-write committee saw fit to maintain the 50 foot except in RZD. The argument was that this is where a more intense development could occur. This change was based on public comment. Mayor Knutson asked about the minimum lot size for accessory dwellings. Dave DeGrandpre commented that the idea how do we address affordable housing, aging in place, families with aging family members who need a place to stay. The idea was to provide options for an accessory dwelling. There are a lot of stipulations. The proposed code on all lots with attached accessory dwellings are allowed on all lots. On larger lots, in Low Density Residential Zoning District (LRZD) there is a larger lot size required. There was some controversy and much discussion. There were stipulations to try

and address all concerns. There is no perfect way to address this. There are protections written into the Code. On page 99 the proposed Code states that LRZD accessory dwelling requires 1 acre. Mayor Knutson asked about the Vision Triangle for driveways having 30 feet vs 15 feet. Was that discussed the application and reality of putting stuff up there. Dave DeGrandpre commented that the Clear Vision Triangle idea is if a driveway comes into a road, the driver should have some space that is clear to see either way. The idea is to provide standards for safety. It is not perfect every time. Commissioner Southerland asked if the Committee have input from the Lakers when the discussion of the 20 foot set-back. Dave DeGrandpre commented that it was not discussed at the committee level. The Lakers did not attend the committee meetings. Mayor Knutson commented that she had a conversation with a member of the PDC Re-write committee and in the conversation it was recommended that one year from approval, the City County Planning Board look at the Code again. City Manager Shrives commented that the Code will be approved in two years after the State Legislature meets. Dave DeGrandpre commented that on page 66 that review period is in the Code. **Public Comment: Elsa Duford-WardIII**-Already commented on that in the minutes. Dave read page 98 and it was helpful to keep in mind. As far as zoning in LRZD Accessory Dwellings, additional building, I'm talking about the owner living in the home and having an area within the home. I don't know if we're talking about the same thing. I think we should not make a zone penalized. It's tough for people to be able to stay in their home and maybe the parents or something, live with them, and take care of them. But to make it so many restrictions placed on this, I think you need to look at it again before you make a decision on it. I don't think it deserves a penalty if you don't do it right. A lot of people aren't even going to know what this is. I would like you to reconsider how you are going to word this and as far as I'm concerned I'm not going to pay a penalty for having any of my family live in my home. So whether they like it or not, I'll just make that statement. **Mark Johnston-Ward I**-After Heather brought up the set-backs again and Commissioner Southerland brought it up, I think the Lakers position was the set-back was originally suggested at 50 feet. That 50 to 20 feet came in after there had been a lot of other suggestions. The Lakers were disappointed that there wasn't actually a process to discuss that. What was suggested that it was a private vs. public good and I think in this case the private good is winning and I don't think that is a good way to go. The developers can develop it under the guides and the codes that there are. To infringe upon the lake infringes upon the public good. That should be carefully considered by the Commission. If there's still an opportunity to go back to what that original suggestion was, until in a closed meeting later on in the process it got adjusted to 20 feet, I think you should seriously consider that. City Manager Shrives commented that for clarification it was not in a closed meeting. There was a Public Hearing at the Planning Board meeting is where that decision was made. There was no closed meeting that changed that. **Lita Fonda-Ward I**- I just wanted to offer a clarification. The definition of Accessory Dwelling includes a description of Accessory Apartment. It calls it an Accessory Apartment rather than a Mother-in-Law apartment. But it is there in the Accessory Building definition section. So that isn't (inaudible). One other thing, Kyle mentioned all of the districts to put the 50 foot in the Specification Standards, I didn't hear if he mentioned Transitional. Salish Point, if that all goes Transitional, that needs to be included too. I just wanted to mention those two things. Thank you very much for all the work you have done. **Dennis Duty-32425 Hellroaring Road**-this discussion on the set-back had been at 5 hearing we had with the City County Planning Board. There's been multiple comment on this. Commented on it here several times. The idea is not to hurt the lake in anyway shape or form. That zoning district, if it's in the Resort Zoning District, will be meticulously regulated by all the governmental agencies out there, Federal and State to make sure that there is no pollution going on from any dwelling units. Again I will reiterate that again in the County, the majority of the lake is at 20 feet. Only those zoning districts that are formed at the County level, have 50 foot set-backs. The majority of the lake is still at 20 feet. Now again, I live here because of the lake. I think most of us do. There's no idea of trying to hurt the lake by trying to reduce this, it gives some ability to do a nicer design without any desire to hurt or to pollute any of the water. It seems like its kind of coming late stage of the game that now suddenly their having significant more discussion about this. I'm okay with that, its just making sure that we get the facts correct here. This has been vetted several times for weeks, for months and months with the Planning Board. Thank you. **VOTE: Unanimous Motion carried**

APPROVE SECOND READING OF ORDINANCE 2016-004 TO ADOPT THE SUBDIVISION REGULATIONS FOR THE CITY OF POLSON DEVELOPMENT CODE 2016 (01:09:08)-City Planner Kyle Roberts presented this agenda item. This is ready to go. **Commissioner Coutts motion to approve the second reading of the Subdivision Ordinance Number 2016-004 to adopt the 2016 Polson Development Code. Commissioner Donovan second.** Commission discussion: none Public comment: none **VOTE: Unanimous Motion carried** City Manager Shrives thanked the Re-write Committee, Planning Board, City Planner Kyle Roberts, and Dave DeGrandpre for their time and hard work

APPROVE AGREEMENT FOR PROFESSIONAL SERVICES POLSON AIRPORT (01:11:38)- This agenda item is presented by City Manager Shrives, Jeff Walla (KLJ Engineers). The City of Polson Airport Representative Bruce Agrella brought two documents to the City. One is an Agreement for Professional Services for JKL to put a procurement contract together. The other one is an application for Federal assistance which is a grant application through the FAA. Bruce Agrella and Jeff Walla will be addressing these two projects. Jeff Walla, KLJ speaking on behalf of the Lake County Airport Board. A few months ago the board came to me and asked if they could get a new snow plow. Apparently the piece of equipment that they have right now is pretty unreliable. It's an old piece that they acquired some time ago. They are just having a difficult time getting all the snow removed. Snow removal equipment, when acquired new, are eligible for federal reimbursement by the FAA. There is a procurement program out there. What we have on the agenda tonight is our agreement to assist the Airport Board and put together a competitive bid package to go out to procure the equipment. We have to put together a performance (inaudible), jump through all the federal obligations we have to, the FAA guidelines and all these things. That's the first item on the agenda. The second item is the grant application. There will be another piece coming down the road once we go through and bid a piece of equipment. There will be an equipment contract executed once we actually enter into an agreement with the supplier. That's in a nutshell what you have before you. Mayor Knutson, What's the current equipment? What is currently used for snow removal out there? Bruce Agrella, Ward II, An old Ford truck. We lost our lease with the Tribe. It took us 10 years to get it back. We have a 40 year contract paid in full. It didn't cost the City anything. In that time frame, we had to maintain everything that we had and we used up all of our cash. We have a year to pay engineering costs etc. and it kind of got put on the back burner. We had planned to replace the truck 10 years ago but we lost FAA funding, we lost everything. So we've been hanging on by a thread. We are clear of lower debt and we need the truck. Mayor Knutson, This truck is extra special based on what we're looking at. What are the requirements? Bruce Agrella, Its FAA requirements. They're Cadillacs I'm telling you. Jeff Walla, I can't give you any details right now. They have a complete circular out there that we're supposed to follow. You have to be able to clear the runway so quickly. It has to be a large piece of equipment. Sticking a snow plow on the front of a one-ton pick-up isn't (inaudible). The truck itself will be performance based. We will put together a spec based on needs and the FAA specs and it will be competitively bid by several manufacturers. These are usually 3 to 3 1/2 ton trucks, bucket dumpers on the back. Commissioner Turner, You said a medium size airport. Do you think Polson is a medium size? Jeff Walla, Yeah. It is based on the amount of pavement. Some airports just have the single runway. It's not Glacier Park International by any means but it's got a significant amount of pavement. Commissioner Turner, What is the requirement after a snow storm that snow be removed? Jeff Walla, Off the top of my head I can't answer that question. The FAA does have some grant assurances in place, you operate 24 hours a day, you have certain requirements to keep that airport open a substantial amount of time. You are not allowed to close it unless there are special conditions. Obviously places like Yellowstone Airport because of the massive amounts of snow that they have (inaudible). Areas like Polson, you are a federally funded airport, to maintain it and to maintain it (inaudible). Some airports are able to get by using local road crews like the County come and do it but the FAA typically requires that there agreement in place that it be accomplished in a certain amount of time. Generally that means you get your primary routes open necessary for towns, and schools for the major traffic to function then do the airport. Commissioner Turner, Does it matter that our airport, talking about being open, is a GPS approach vs. an ILS approach? Every airport now has a GPS approach but we are not certified for an IFR due to no ILS. Is there any FAA rule, statement because we really don't have

that, our airport (inaudible). Jeff Walla, I don't believe that it ties into the approach procedures or anything really ties into whether the airport is certified or not. A commercial service airport. You are not a commercial service airport. You don't have those strict requirements. It's really more-less maintained and that airport open for public use. I'm not certain how quickly you have to have the runways cleared. Commissioner Turner, I guess for me the big question is the price of the snow removal. That just seems like an awful amount of money. Mayor Knutson, I'm looking for that page. City Manager Shrives, It's on the grant application. Mayor Knutson, It's on the grant application. I know there's a summary page. Jeff Walla, The plows are typically 50 to 60,000.00 just for the blade. It's a hydraulically operated from inside the truck. Its specialized equipment and it is expensive. Unfortunately the FAA does not support getting used equipment. That's the dilemma we have with why the smaller airports (inaudible). Its sticker shock to see \$180,000.00 piece of equipment. It doesn't get used that often. Commissioner Turner, Our biggest issue here is fog. Jeff Walla, Typically this equipment will last probably 30 years. Commissioner Turner, Do you put together any maintenance program or cost of running? Jeff Walla, Yes. That's part of the bid. Yes, the recommended maintenance is part of the (inaudible). Commissioner Turner, Is that built into the future airport budget? Bruce Agrella, We have the money. Mayor Knutson, Are future operating expenses are also included? Does it require a CDL license? Jeff Walla, As long as the airport personnel are operating it, it's typically all included in there. Mayor Knutson, It's not a Board member? It's an actual airport personnel? Commissioner Turner, How many employees do we have at the airport? Bruce Agrella, One and one volunteer. We did this in Ronan, got a snow plow. We had to get a building first. The building cost \$171,000.00. The snow plow cost over \$100,000.00. That's how they operate. Mayor Knutson, So we have a storage facility for this? Bruce Agrella, We do. Mayor Knutson, You went through the same process having to contract to be able to find a snow plow in Ronan as well. Bruce Agrella, We do the same thing in Ronan. Mayor Knutson, You had to go through the engineering process? Bruce Agrella, Oh yes. Oh yes. Jeff Walla, It's a common procedure. All the airports are doing that. Commissioner Turner, Where is the storage building? Bruce Agrella, We have one by the old (inaudible). Commissioner Turner, Okay. Commissioner Siler, I keep hearing the word grant but what is the City going to have to pay? What's the bottom figure? Jeff Walla, So 10% match I believe come totally out of the airport budget. I don't think the City pays anything. Commissioner Siler, Oh. Okay. Mayor Knutson, We have to approve it. City Manager Shrives, The City is the sponsor of the airport and you also inherit, as the City you also inherit the grant assurance which goes with these requirements. You inherit, or accept the grant assurance for the next 20 years. Mayor Knutson, So bottom line, City doesn't have any financial obligation at this point. We have the obligation that we, the maintenance happens. City Manager Shrives, I will never say never. The City as the sponsor has the obligation if the airport board falls apart or something yes then the City inherits this obligation. The obligation is 10%. Then of course you have the grant assurance obligation. If the airport board went away, loss funding from the County, 1 mil from the County, then the future operation and maintenance for that snow plow potentially could fall to the City. Rick Newman, Chairman of the Board. Each one of the three cities, towns has a representative and the other two come from Lake County Commissioners. So it's not one entity. The way the FAA set up when you read all the guidelines. It's 90% for them and 10% on us as the airport board. We always look at it that we have the money to cover our 10%. Our two options, Capital Improvement, hangar lease, and Montana Aeronautics. Once a year we go with grants from the FAA. We try to get a loan or a grant from them. That always brings in money to cover these projects. The half a million dollar check that we had to write to the Tribe took 9 1/2 years and we got it done. We have 40 years that they are guaranteed. We looked at Polson as a whole. This is one of the pieces that Bruce brought up that we need to do at the airport. All the lots have hangars. There might be a few small lots that are empty. You can't go either direction with the runway. We have to protect what we have. Bringing the guys in from the County, those plows would peel the runway up. The snow plow that we have has protection from peeling out the material that we put in every five years to protect the tracks out there. If you try to go cheap, buy a snow plow, peel everything up that we just put down to protect the pavement out there. We're looking at cost to maintain these three airports. Two are federally funded. I'm on the other end of that valley, down at St. Ignatius. I have to beg for all my money to support that airport. I don't get any help from the FAA. That 1.03 Mil levy is not a guaranteed number. If everybody pays their taxes on time, it's great. We got plenty of money. If a lacking or a tax bills don't

get paid, we got quite a bit smaller number to deal with these airports every year. So we're looking after everybody's interest. Because you guys own ground out there just like Ronan, just like St. Ignatius, we have to go through this procedure. And it keeps you guys in the loop of what's going on with the airport. If you ever have any questions, please come talk to us every second Thursday at 7:00 p.m. at the Ronan Airport. Mayor Knutson, Thanks. Good information. What Rick was saying if we tear out the material that we put in year-after-year definitely a cost off-set that. I think it is a lot of money but I guess it is the recommendation of our Board who works out there. **Commissioner Siler motion to approve the Agreement for Professional Services for the Polson Airport. Commissioner Turner second.** Commission discussion: none Public comment: none **VOTE: Unanimous Motion carried**

APPROVE THE APPLICATION FOR FEDERAL ASSISTANCE AT POLSON AIRPORT

(01:31:09) This agenda item was presented by City Manager Shrives, and Jeff Walla KLJ Engineering. **Commissioner Erickson motion to approve the application for federal assistance at Polson Airport. Commissioner Southerland second.** Commission discussion: none Public comment: **Elsa Duford-Ward III**-Is this only for the snow plow? Mayor Knutson, Yes. Elsa Duford, Bruce Agrella mentioned the agreement with the Tribe was gone. Is that right? Commissioner Turner, Elsa, the agreement is not gone. It's in place. Mayor Knutson, It was gone for 10 years but they've gotten it replaced. It's for 40 years. Elsa Duford, Is the Tribe participating in any of this expenses? Mayor Knutson, No. Elsa Duford, Alright. Thank you. **VOTE: Unanimous Motion carried**

CITY MANAGER ANNUAL APPRAISAL REPORT (01:33:25) –This agenda item was presented by Mayor Knutson. Mayor Knutson read the following report:

City Manager Annual Appraisal Report

Discussion: March 21, 2016

Report Date: April 4, 2016

Overall the Commission feels Mark is a good City Manager and has made many positive changes for our City. It is beneficial to the City to have someone with Mark's experience, training, understanding, and leadership, who has the time dedicated towards navigating the various issues of the City. Mark has done a good job at keeping the Commission apprised of current or upcoming issues; is doing a good job at leading us through the challenges; and is keeping the communication flow going. His leadership and work has had a positive influence on the City of Polson and its relationship with the community. Not only are the Commission meetings running well because of this, we believe the community perception of the city has had great improvements, as well.

Some specific successes we would like to highlight include the following:

- Mark is responsive to our recommendations and suggestions.
- The Agenda Item Summaries have added great value to the Commission and Citizens – the accompanying documents are helpful in further explaining the agenda item.
- The Strategic Planning Workshop was a huge success and his organization and leadership in that was very important. As we continue to utilize and grow this tool, it will be very valuable for the City of Polson, the staff and the citizens.
- Mark's suggestion to compromise on the Polson Development Code – to maintain the CCPB but allow us to operate the Codes independently – was great. It allowed us to continue co-op planning efforts, but also allowed the County to become more comfortable with things before jumping in. It was a great idea.
- Updating processes and procedures within the City and leadership of City departments and personnel.
- One of Mark's strengths is his ability to complete projects. Updating Ordinances, staff evaluations, and many other important projects that have been in the works for some time have

moved forward and many have been completed since Mark has been in his position. These projects are difficult, but Mark has the right balance of being patient, generating understanding, and moving forward.

A couple things to continue to work towards:

- Continue to provide us with great information, and please be sure to share your own perspectives and opinions on matters to help us understand more thoroughly your thoughts and ideas.
- Continue to focus on having Commission packets out by Thursday at 5:00 PM prior to meetings on Mondays.
- Although we have not reached the end of the quarter, we want to make sure we do not lose sight of doing quarterly financial reports for the Commissioners.

Overall, we have seen good things happening. There is a sense of partnership between the Commission and the City Manager, and we believe his skills and experience will continue to be helpful and valuable to the City Commissioners, City Staff and Citizens.

Commissioner Turner motion to approve the City Manager Annual Appraisal Report.

Commissioner Southerland second. Commission discussion: none Public comment: none

VOTE: Unanimous Motion carried

(01:37:46) Mayor Knutson commented that a meeting may be closed to discuss the strategy of pending, threatened or actual litigation; City Manager Shrives replied it should. Mayor Knutson asked if the litigation was between two governmental agencies. City manager Shrives replied no. Mayor Knutson asked if the discussion of this legal matter in open meeting have the potential to adversely affect the City if the strategy to defend the matter is disclosed. City Manager Shrives replied yes. Mayor Knutson commented that based upon the representations of the City Manager, I find that the Commission should close its meeting into executive session so that we may discuss the litigation strategy of pending, threatened or actual litigation.” “I believe that we will be discussing this matter for 45 minutes. Thereafter, we will reconvene the meeting only to determine full or action minutes and to adjourn the meeting

.RECESS: (01:38:44) EXECUTIVE SESSION

RECONVENE: (01:38:48) Mayor Knutson commented for the record

(01:38:53) Mayor Knutson asked the Commission if there were any items that needed full minutes or will action minutes suffice. The audio will be the official meeting minutes. Commissioner Turner requested Agenda Item #11 be full minutes, action minutes on the remaining.

Adjourn. (01:40:02) Commissioner Donovan motion to adjourn. Commissioner Coutts second.

Commission discussion: none Public Comment: none **VOTE: Unanimous Motion carried.**

ADJOURN: 10:55 p.m.

ATTEST: _____

Heather Knutson, Mayor

Cora E. Pritt, City Clerk