

**POLSON CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, MARCH 15, 1999, 7:30 P.M.**

Council Present: Tom Vergeront, Mark MacDonald, Clint White, Fred Funke, Dan Morrison. **City Attorney James Raymond present. Mayor Mik Lies presiding.**

Others Present: Monte Sipe, Bonnie Manicke, Carolyn Finnell, William Olson - Community Bank Polson, Bob Fulton, John Campbell, Pam Dupuis Perry.

CITY COUNCIL MEETING MINUTES - MARCH 1, 1999: White said he read the Council Meeting Minutes of March 1, 1999 and found no errors. **Motion White, second Morrison, to approve the City Council Meeting Minutes of March 1, 1999 as printed. Motion carried unanimously.**

SIGN PROPOSAL - CELLULARONE - HWY 93 AND HWY 35 - LEE COX: Sipe said he submitted information to Council in their agenda packet regarding this request. He stated that Montana Sign Works is working with Cellularone and has requested that Council approve placement of an awning over their entrance and window area of their existing building located at the intersection of Highway 93 and Highway 35. It is proposed to be an 18' wide awning, 42" in height, and on the awning it has copy reading "cellularone" having a total of 15.6 square feet and complies with the draft sign ordinance. Vergeront asked what height the awning is. Sipe replied it is approximately seven to eight feet off the ground. **Motion MacDonald, second Funke, to approve the Cellularone awning typ sign as requested. Motion carried unanimously.**

SIGN PROPOSAL - COMMUNITY BANK POLSON, SUPER 1 FOODS BUILDING - W. M. OLSON: Sipe said this sign request is for Ronan State Bank's branch office in the Super One Food Store building. They are proposing a 4' high by 16' wide wall sign having a 64 square feet total area. It will be a white backlit sign with black lettering to read "Community Bank Polson" to be located to the east of the main entryway roughly 10' high on the wall of the building. Lies asked if the sign will be fastened directly to the building and if it meets the code requirements. Sipe said with the emergency sign ordinance in effect, it requires Council approval but the sign would not comply with the draft ordinance. The difficulty the bank has is that there is only 25 square feet of building frontage. He noted that this is an area in the draft ordinance that needs some work. **Motion White, second Funke, to approve the Community Bank Polson sign on the Super 1 Foods building as requested. Vergeront asked if the sign will be lit 24 hours a day and during non banking hours. William Olson replied he believes that is the intention. Motion carried unanimously.**

SIGN PROPOSAL - DIAMOND AUTO GLASS - 7TH AVENUE WEST & MAIN ST. - K. CULVER: Sipe said the owner of Diamond Auto Glass has requested Council approval for placement of a double faced free standing sign at the corner of Main Street and 7th Avenue West. The sign would be 4' high by 8' wide, double faced, having 32 square feet in area per side. The overall height is proposed at 12'. The only issue with this proposal is the location which would locate the sign in the City right of way and within a 30' vision triangle which is specified in the Polson Development Code. The location of the sign within the vision triangle would create a traffic hazard. Sipe said he suggested to the owner that the sign be located closer to the structure and out of the City right of way. He questioned it at first but has since agreed to move the sign to be off of the City right of way and out of the vision triangle as required by the Polson Development Code. Sipe clarified that the clear vision triangle is 30' back from each corner at the intersection. Lies said if it states in the Polson Development Code that there must be an open vision triangle then we had better stick to that requirement. **Motion White, second MacDonald, to approve the sign proposal by K. Culver, for Diamond Auto Glass on the condition that**

it is plac d out of the clear vision triangle as requir d by the Polson Development Code. Motion carried unanimously.

CTEP - CONTINUATION OF PARTICIPATION: Bob Fulton said he requested to be on the agenda to get Council's concurrence for the City's continuation to participate in the CTEP program. He noted that Council should be aware that in February 1999 the City was notified that the next series of projects to be approved must be submitted in the month of March. He verified this information with Ed Hedlund, who said they realized that no one could apply this year because of the short notice. The City of Polson is likely to get approximately \$50,000 in the next three year cycle of CTEP funding for projects. There has been \$14,000 allocated for 1998, \$17,200 for 1999, and the year 2000 has not been allocated yet. The big difference this time is that the City has to come up with 13.42% of the total project costs, which is about \$7,000 which we did not have to do before for other CTEP projects. Assuming that the City wants to participate in the CTEP program, he will initiate the public meetings required, so we can make a list of prioritized projects for application next March, and submit them for approval. MacDonald said the investment of \$7,000 is worthwhile, in order to get \$50,000 worth of improvements. Lies said the investment the City has to make is worth the effort and asked if the funds are allocated for this year's projects. Fulton replied that the 7th Avenue/Hillcrest project is ongoing and the project will be ready for advertisement this spring with construction starting this summer. The 7th Avenue project is to construct a sidewalk from Cherry Hill Apartments to 4th or 5th Street East, depending on the cost of the project. The matching percentage is not required for this project but only for new projects which the City can apply for next March. Council agreed that Fulton should proceed with the public meetings required, in order to compile a list of priority projects.

RESOLUTION #774 - CONCURRING WITH THE LIMITED ACCESS PLAN FOR HIGHWAY 93: Lies said Council received a copy of the preliminary resolution stating designation of limited access highway and facility project ID NH 0002(396) US 93 access control and corridor preservation project of Missoula and Lake County, Montana prepared by the Transportation Commission of the State of Montana, State of Montana Department of Transportation. The City's resolution of concurrence states that Council concurs, in general, with the limited access plan for Highway 93. White said the resolution does not state any specific plan of a super three or four lane plan. Lies said that has not been decided yet, and his understanding is that it will not be decided until all the access routes have been obtained. Motion White, second Funke, to approve Resolution #774 Concurring with the limited access plan for Highway 93 as presented by the Transportation Commission of the State of Montana, State of Montana Department of Transportation. Motion carried unanimously. Raymond asked what span of Highway 93 this plan covers. Lies replied that it covers between 483 meters north of mile marker 6, which is at the bottom of Evaro Hill and 61 meters north and east of mile marker 59, which is at the stoplight of the intersection of Highway 93 and Highway 35.

INVESTMENTS: Manicke asked Council approval of a \$400,000 investment at Ronan State Bank Community Bank Polson, for a 9 month period, due 11-26-99 at an interest rate of 5.23% compounded daily. Bids from the other three financial institutions in Polson were 1st Citizens Bank at 4.90%, Glacier Bank at 4.65% and Security State at 4.55%. The treasury bill rate was at 4.85% and she feels the City was treated well with this investment. White asked what amount banks' are required to pledge for securities. Manicke replied that Community Bank Polson offered 100%, as they do for the City of Ronan, but she said because their asset to capital ratio was 6% or more that we would take 50% pledging. White asked why the 1st Citizens Bank has \$1,120,000 of the City's investments and only \$640,000 is pledged. He stated that he does not think that is enough. MacDonald asked what standard pledging is required by

municipalities. Manicke replied that if their asset to capital ratio is 6% and above, the statute says we can ask for 50% on pledging, which is common right now. If Council wants more than 50% pledging they need to instruct her to ask for more pledging and pass a resolution which would state what the City requires for pledging on securities which would be the same for all the banks the City deals with. White said we should get more. MacDonald said the amount of pledging required would depend on the amount invested. Vergeront suggested that it be on a progressive scale, that if investments are over one million dollars it should be 70% to 80% but if it is \$400,000 it could be 50%. Manicke said she will do some research and present a formula for Council to consider at the next meeting. Motion White, second Morrison, to approve a \$400,000 investment with Ronan State Bank Community Bank Polson for a 9 month period at a rate of 5.23% daily compound, as presented. Motion carried unanimously.

PLEGGED SECURITIES FOR PUBLIC FUNDS ON DEPOSIT WITH FINANCIAL INSTITUTIONS: Manicke said she gave Council a copy of the pledged securities showing where public funds are on deposit, and on the reverse side of the handout is a detailed listing of the pledged securities she has on hand. She noted that the pledged securities as presented meet with the statute requirements. Motion Whit , second MacDonald to approve the pledged securities as presented and that Manicke prepare a revised schedule of pledged security requirements for Council to consider for future investments. Motion carried unanimously. Vergeront asked regarding one of the investments at Glacier Bank, what state Cheatham County Municipality is in. Manicke replied that investment is in Tennessee and has a AAA rating. She noted that some paper is rated when they issue out the bond papers and some are not. There is a fee for rating bonds and the City of Polson has never requested bonds to be rated.

FEBRUARY 1999 CASH REPORT: Manicke said the February Cash Report balances with the investments. The Golf membership collections show a sizeable revenue for the Golf Department through the month of February. Interest payment on the bonds need to be made on April 1, and there is sufficient funds to make that payment. There are no negative balances on the February 1999 Cash Report. Motion White, second Vergeront, to approve the February 1999 Cash Report as presented. Motion carried unanimously.

MTA/USC ANNUAL CONFERENCE - 8/22 - 8/25 SALT LAKE CITY - BONNIE MANICKE: Lies said Manicke would like to attend the Montana Treasurer's Association annual conference in Salt Lake City, Utah from August 22 to August 25. Motion Funke, second Morrison, to approve Manicke's attendance at the MTA/USC Annual Conference in Salt Lake City, Utah from August 22 through August 25, 1999 as requested. Motion carried unanimously.

LOCAL GOVERNMENT WORKSHOP FOR ELECTED OFFICIALS - 4/21 - 4/23 BILLINGS - MIKE LIES: Lies said he would attend the Local Government Workshop for elected officials if Council wishes. Motion White, second Funke, that Lies attend the Local Government Elected Officials Workshop April 21 through April 23 in Billings as requested. Motion carried unanimously.

MSAWWA/MWEA CONFERENCE - 4/28 - 4/30 BILLINGS - JOHN CAMPBELL: Lies said Campbell asked that Council approve his attendance at the American Water Works Conference which he usually attends every year. Lies recomended approval and noted that Campbell is very active in this organization. Motion Funke, second MacDonald, to approve Campbell's attendance at the MSAWWA/MWEA Conference April 28 through April 30 in Billings as requested. Motion carried unanimously.

ORDINANCE #560 - SUBDIVISION IMPROVEMENT AGREEMENTS - FIRST READING: Lies said there has been a lot of work put into this proposed ordinance by various individuals. Some amendments and revisions were made and fit in very well. It is something we have needed for a long time and it has finally been put together. Raymond said Council can see that the Subdivision Improvements Agreement has been attached to the Ordinance as Exhibit "A". He noted that the agreement is drawn from a Department of Commerce sample document compiled by Monte Sipe. It took meetings and insights from various department heads, based on their track record of experiences from the past. The Ordinance is drafted to provide a model but is not obligatory, giving the City officials the flexibility to negotiate whatever points are addressed in this model agreement. The point is that the agreement with each developer will be different to some extent and the flexibility is apparent. Also, the model agreement can be used as a checklist and that was the motive behind this ordinance. **Motion White, second Funke to approve the first reading of Ordinance #560 Subdivision Improvement Agreements as presented. Motion carried unanimously.**

METER READING POSITION - ADVERTISE: Lies noted that the Meter Reader position has been open and Campbell is asking Council approval to advertise to fill the position. He noted that Ashley Walker has been moved to the Sewer Department and he has also been reading meters. Campbell noted the base pay for that position is \$6.00 per hour. **Motion Funke, second Morrison, to approve advertising for the meter reader position as requested by Campbell. Motion carried unanimously.**

POLICE DEPARTMENT - CINDY JEFFRIES - ANIMAL CONTROL OFFICER - PROBATIONARY PERIOD COMPLETED: Lies noted that Cindy Jeffries has satisfactorily completed her six month probationary period and asked Council to approve her permanent status, as recommended by Police Chief Buzzard. **Motion White, second Funke, to approve Cindy Jeffries' permanent status as Animal Control Officer. Motion carried unanimously.**

GOLF COURSE: White informed Council that Larry Newlin will include a requirement for a valid driver's license in the job descriptions he recently revised. He will also have the ranger's job description available at the Golf Board Meeting. It was suggested by Thick at the last Council meeting that the Golf Board's duties be readjusted. He stated that he reviewed the duties which are in the City's Municipal Codes and felt there is no need to change them. Carolyn Finnell said there are some items that need to be changed. It states that a member of the Golf Board needs to hold a season pass, and Toby was given an exception because she is a City employee. White said she has a season pass as a City employee. Finnell said it also states under Council supervision, that the Golf Board shall have complete control of the Polson Golf Course, which she feels is too broad and needs to be defined. White said that will never happen because it is a business of the City of Polson, and they run it as a business. Finnell said there is no point in having these words in the codes if it is not accurate. White said there is no reason to nitpick. Lies suggested that statement could be taken out of the codes. MacDonald said it could be revised. Finnell said it looks like it was written a long time ago when it was a different City. White said it goes back to when the Golf Course land was given to the City and the Golf Association operated the golf course they lost money every year and the taxpayers had to pick up the shortfall. Once they started to run it as a business and make business decisions they have made money every year. Finnell said that is her point, it has no place the way the City is running it now, somehow it has to be revised from how it reads. White agreed it should be scratched off. White said Thick asked at the last meeting how much advice can the Golf Board give to Council. White said they can give all the advice they want but there is a difference between quality and quantity and they should be giving quality advice, something well thought out. One item that has been

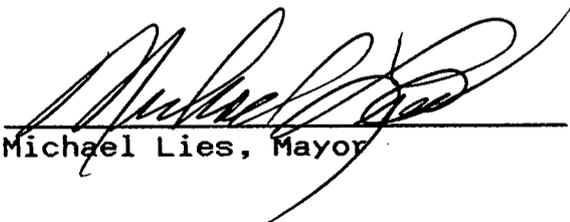
complained about over the years is that the ladies tees are uneven. They have been uneven for 50 years and he feels that others complain because of one person's comment. He suggested that we just play golf and enjoy ourselves. Lies asked if there have been any comments regarding the proposal in the paper to withdraw the ban to serve alcohol on the old nine portion of the golf course. Raymond replied he has not received any comments, and noted that Thursday was the last required publication which appeared in the Leader, which was required to notice the public. In twenty days he will appear before District Judge C. B. McNeill on this matter, then he will discuss the details with Roger Wallace.

DONNY DUPUIS SMOKE SIGNAL ALCOHOL BEVERAGE LICENSE - TRANSFER LOCATION TO 208 MAIN STREET: Pam Perry, on behalf of Donny Dupuis, owner of the Smoke Signal which is now the new Main Street Market, said the Liquor Division asked that she receive written approval from Council for the transfer of location of the Smoke Signal's Beer License from Highway 93 to 208 Main Street. She was given a list of names from the liquor division and is asking those who are normally notified to write a letter in order to speed up the process of approval for the transfer of location which would normally take another thirty days. She read Police Chief Ron Buzzard's letter to Council which stated they have operated for over twenty years without any problems. **Motion White, second Morrison,** that the City write a letter of recommendation and approval to the Liquor Division for the transfer of Donny Dupuis Beer License from the Smoke Signal on Highway 93 to the Main Street Market at 208 Main Street, as requested. **Motion carried unanimously.**

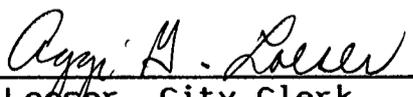
PROPOSED SEWER RATE INCREASE: Campbell said Council is aware that ads will appear for three weeks in the paper notifying the public about the public hearing to be held on April 5, at 7:00 p.m.. This increase will be the most significant from any in the past. He noted that the paper ran the ad a week early and there was a mistake which noted an increase in other than the base rate. He spoke with the engineer and the loan agency who verified that the guaranteed amount of revenue per month is what they want increased, and it is not necessary to increase the additional usage above the minimum usage. The ads in the Leader for the next three weeks will reflect the correct proposed increase. He noted that the restaurants and hotels would have had outrageous bills if this correction was not made and the additional increase is not required by the lending agencies to qualify for the loans and grants.

POLSON CITY AIRPORT CONSTRUCTION: White said the bid for construction at the airport will be let Friday. They plan to extend a water line across the airport before construction is completed so they will not have to dig it up later when water is available from the proposed new well on the property Jack Heglie donated to the City. It will be a 12" water line encased in a 16" pipe, which will extend from the west property line to the east property line where the hangers start. It will be capped off until the water is available to serve all property including Jack Heglie's. **Motion White, second MacDonald,** to approve construction of an 12" water line encased in a 16" pipe at the Polson City Airport as requested. **Motion carried unanimously.**

Meeting adjourned at 8:05 p.m..


Michael Lies, Mayor

ATTEST:


Aggi G. Loeser, City Clerk