

**POLSON CITY COUNCIL MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
MONDAY, MARCH 6, 2006, 7:00 P.M.**

ATTENDANCE: Councilmen: Bruce Agrella, Jules Clavadetscher, Mike Lies, Tom Corse, Fred Funke. Councilman MacDonald absent. Mayor Randy Ingram presiding. City Attorney James Raymond present. Others Present: Dave Tolley, Bret Egan, Jim Simpson, Jim Sohm, Jack Bishop, Rick Dennis, Marilyn Trospen, Lou Marchello, John Strommnes, Dick Rosa, Mickey Rosa, Pete Daniel, Carol Daniel, Ethan Smith, Lawrence Mikesell, Shelley Lawrence, Bonnie Manicke, Jeffrey Smith, Mike Roberts, Ken Donovan, Margie Hendricks, Melva Stirm, Sam Williams, Kevin Johnson, Robert Lajoie, Irene Marchello, Lou Marchello, Britt Schleip, Dorothy L. Preston, Lee Manicke, Steve Sego, Greg Hertz, Kate Hertz, Paul Peters, Dee Peterson, Elsa Duford, Wanda Robinson, Sheri Morrison, Ralph D. Lasche, Lori Lasche, Tom Maloney, Mary Sale, Jackie Trujillo, Stanley Petersen, Gary Collinge, Linda Sappington, Sue Taylor, Murat Kalinyaprak, Wilma Mixon-Hall, Leroy Trujillo Sr., Lee Wallace, Carolyn Beecher, Steve Connell, Kathy Boeschent, Marie Mumma, Mac Swan, Kathy Shore, Judith Bromley, Karen Swan, Will Tusick, Jan Tusick, Bryan Seidita, Billie Lee, Wynette Johnson.

CONSENT AGENDA:

- A. CITY COUNCIL MEETING MINUTES FEBRUARY 22, 2006**
- B. RESIGNATION – ANIMAL CONTROL OFFICER SANDY DRAKE**
- C. RON MELVIN - IRC CONVENTIONAL WOOD FRAMING - HELENA**
- D. MT BUILDING INDUSTRY ASSOC. MARCH 28-29-30 \$250 - (APPROXIMATE)**
- E. BONNIE MANICKE - ASSOCIATION OF PUBLIC TREASURER'S 41ST ANNUAL CONFERENCE, MEMPHIS, TN – JULY 22-26 - \$1,818.70 (APPROXIMATE)**
- F. FIRE DEPT. HAZ MAT TRAINING – SIX FIREMEN @ \$50 KWATAQNUK**
- G. RENEW SANDPIPER GALLERY LEASE ADDENDUM #3 - \$2,400 PER YEAR**
- H. REQUIRE AGREEMENT/CONTRACT FOR CONCESSION ACTIVITIES WITHIN ALL CITY PARKS – KAREN SARGEANT**
- I. FEBRUARY 2006 CLAIMS #91066 TO #91286 FOR A TOTAL OF \$125,204.93**

Motion made by Councilman Lies, seconded by Councilman Corse, to approve the consent agenda items A through I as presented. Elsa Duford asked for a correction to item A, the February 22nd City Council Meeting Minutes, to delete Westana Subdivision from her statement protesting Council approval of additional development that would access 15th Avenue and leaving Bauer and Maddy's subdivision. Mayor and Council agreed to approve the correction. **Motion carried unanimously.**

COMMUNITY IMPACT REPORT ON THE PROPOSED SUPER WAL MART - PRESENTATION BY HKM ENGINEERING: Kevin Johnson, engineer for HKM Engineering, of Helena, presented the Community Impact Report on the proposed Super Wal Mart. A copy of the report was provided to Council and was available for public review on HKM's website, www.hkminc.com/polson. He noted that this report complies with the requirements in the Polson Development Code. The scope of the evaluation includes consideration of the project's impacts to the City's water supply and distribution system, the sewer collection and treatment system and the proposed storm water management plan. It also evaluates a review of the Traffic Impact analysis completed by CLC Associates for the Wal Mart facility. The focus of this report was to consider overall community impacts, anticipated from development of the proposed Super Wal Mart facility. The details of the facility design will be further reviewed as part of the subsequent review processes with the City County Planning Board, the City of Polson, the Department of Environmental Quality and the Montana Department of Transportation. It was clarified that this report has not been presented to Wal Mart for their comments and they will be asked to address the impacts on the community when the proposed development will be presented to the City County Planning Board.

Councilman Corse asked if the storm water retention pond overflowed could they make it bigger. Kevin Johnson replied that there are two kinds of ponds, a detention pond and a retention pond and the size of the pond is limited.

Steve Connell asked if this analysis deals with the total acreage of the Super Wal Mart site. Kevin Johnson replied that it only deals with the total area of land to be developed into the proposed Super Wal Mart. If other development was proposed it could change the impact.

Motion made by Councilman Corse, seconded by Councilman Lies, to accept the Community Impact Report on the proposed Super Wal Mart as prepared and presented by Kevin Johnson of HKM Engineering.

Carolyn Beecher asked Council to delay approval of the report until a solid waste and emergency services impact was included, as the motion stated in the November 7th Council Meeting minutes, which she provided to Council. Joyce Weaver replied that those items were not part of the agreement with HKM. Carolyn Beecher noted that she found documentation that the shoplifting calls in other communities having a super Wal Mart were up by 25%. She felt it would be a mistake not to include the emergency services impact and would underestimate the cost to the City and recommended that Council not accept the impact report without including that. Mayor Ingram replied that they could accept the report with the information that was included. Kevin Johnson stated that it would be additional cost for him to include it in his report. Joyce Weaver noted that the Polson Development Code does not require including those issues but those issues will be addressed during the subdivision review process.

Margie Hendricks noted that the City had not drilled a well this summer, as recommended by Anderson and Montgomery 's water report. She questioned if the impact on water was calculated during the high peak demand. She felt the Council is not recognizing how serious the water situation is in Polson and what the full impact of a Super Wal Mart would be during the months of July and August. Mayor Ingram replied that out of the three recommendations made in Anderson Montgomery's PER report, the iron removal system was completed and the meter replacements are in progress but not completed. Kevin Johnson explained that they use a formula to calculate the peak daily demand. Margie Hendricks said she gave the City's pumping records to a hydrologist and he doesn't think that there were recordings during July and August. Mayor Ingram replied that he didn't recall that there were any missing records. She expressed her concern about the City's water supply and adding new users before another well is developed.

Jackie Trujillo asked and it was clarified that the Highway Department did not contact the City about the traffic signal at the intersection of Highway 93 and Memory Lane.

Greg Hertz felt that the report underestimates potential home sites in the Cougar Ridge subdivision at 300 because a number of multi family and commercial lots were included in that development. In addition to the Super Wal Mart store there are nine acres of commercial lots that would be developed in the future and the fire flow needs to be addressed. He asked and it was clarified that the storm water problem at Eagles Nest Resort was taken care of with the Highway 35 project improvements. He felt the impact report was vague regarding the semi truck traffic issues that would arise and there should be more information clarifying future development impact on the City's water and sewer services.

Elsa Duford asked and Kevin Johnson replied that the proposed water source is from the water reservoir tank on Mission View Drive which has adequate water but the pressure will need to be improved.

Councilman Clavadetscher asked Police Chief Chase to present Council with information regarding crime related impact of a Super Wal Mart in other cities.

Kevin Johnson explained that it is not the purpose of this report to give solutions to the impact issues. Wal Mart will be asked to provide mitigation designs as part of their application for their development, which is reviewed and evaluated by the City Engineer, Department of Environmental Quality, the City County Planning Board and the City Council.

Mayor Ingram asked Police Chief Chase to provide the emergency service impact information. **Motion carried unanimously, to accept the Community Impact Report on the proposed Super Wal Mart as prepared and presented by Kevin Johnson of HKM Engineering.**

GROWTH POLICY – APPROVE PAYMENT OF HKM'S CURRENT INVOICE DUE AND APPROVE ADDITIONAL COST TO PRESENT & PROCESS THE FINAL DRAFT: Mayor Ingram referred to the most recent letter from HKM requesting \$6,000 additional funds for completion of the final draft of the growth policy. Joyce Weaver clarified that this additional amount would cover the cost of a public hearing to be held by the City County Planning Board and to evaluate and incorporate public comments made since the last revision. The presentation of the final draft to City Council is part of the original contract amount. Mayor Ingram informed Council that at this time funds are available for this important project and if needed the budget could be amended. **Motion made by Councilman Clavadetscher, seconded by Councilman Corse, to approve payment of HKM's current invoice due and to approve \$6,000 of additional cost to present and process the final draft of the City's growth policy. Motion carried unanimously.** Mayor Ingram was asked and he explained that the growth policy budget was \$40,000. The \$6,000 additional cost overrun was mainly due to the contentious nature of comments made regarding development issues that came up recently, such as the Super Wal Mart proposal. Joyce Weaver clarified that the comments are analyzed before they are incorporated into the report, therefore not every comment is included in the report.

POLSON FESTIVAL DAYS STREET AND PARK CLOSURE REQUEST - JIM SOHM: Jim Sohm explained that they have worked out the few parking problems they had with some of the businesses near Riverside Park during the Polson Festival Days last year. He provided Council with a detailed schedule of time place and location of street closures they are requesting. Mayor Ingram noted that the Valley Cruisers Car Show and Polson Festival Days have been a very good activity for the City of Polson and the minor problems can be solved. Councilman Clavadetscher asked and Jim Sohm replied that First Street East and First Avenue East would be left open for boat launching access to the City Dock. Police Chief Chase noted that Jim Sohm and the organizers of this event have been good people to work with and he supports the event 100%. **Motion made by Councilman Corse, seconded by councilman Funke, to approve the Polson Festival Days Street and Riverside Park closure as requested by Jim Sohm. Motion carried unanimously.**

PARC (PATHWAYS TO ACTIVITIES, RECREATION AND CULTURE) – COMMUNITY TRAIL MAINTENANCE DAY – FIRE DEPARTMENT’S ASSISTANCE FOR HILLCREST DRIVE TRAIL CLEAN UP - MIKE ROBERTS: Mike Roberts asked Council to approve the Fire Department’s offer to assist in clean up activities of the community’s trails, the old railroad tracks and some off shoot trails, proposed for April 1 or April 8. Mayor Ingram asked if they got permission from MDOT. Mike Roberts replied that he was told that they should contact the City. Councilman Clavadetscher asked if they had designated the parking areas for those participating in the clean up. Mike Roberts replied that they planned to contact the Catholic Church and the Masons to use their parking lots. Sue Taylor noted that the Polson Business Association designated the first weekend in April for their clean up activities and they might be able to coordinate their efforts. **Motion made by Councilman Clavadetscher, seconded by Councilman Agrella, to approve the Fire Department’s assistance in the clean up activities proposed by PARC on April 1 or April 8, Community Trail Maintenance Day, as proposed by Mike Roberts. Motion carried unanimously.**

POLSON CITY LIBRARY BOARD OF TRUSTEES – YOUTH SERVICES LIBRARIAN PAY RAISE OF \$.50 CENTS PER HOUR RETROACTIVE TO 2/2005 - BRUCE HARROP: Bruce Harrop, a Library Board member, asked Council to vote in favor of giving Trude Hunsucker, the Youth Services Librarian, a pay raise of fifty cents per hour, retroactive to her six month probation period, which she did not receive. She has done an outstanding job and the Library Board feels she deserves a raise that others have received at six months and especially considering her prior experience and qualifications as a teacher. He noted that there are twenty-three similar positions in libraries throughout Montana and their wages average \$12.95 per hour. Mayor Ingram noted that she received a sixteen-cent per hour raise in July 2005 and typically the raises coincide with the budget year. They also have to consider what other staff are being paid which might not be comparable to the state average. Councilman Clavadetscher agreed that they need to look at all the staff’s wages and it becomes a tough balancing act. Bruce Harrop stated that she is a very valuable employee and asked that Council give consideration of their proposed increase. **Motion made by Councilman Clavadetscher, seconded by Councilman Lies, to approve a thirty-four cent per hour increase for Trude Hunsucker, the Youth Services Librarian, retroactive to February 2005. Motion carried unanimously.**

GOLF BOARD MEMBERS REAPPOINTMENT – TRACY DOOLEY TO SEPTEMBER 2007 AND TOM KRAGH TO OCTOBER 2007: Councilman Corse noted that there was an oversight in not bringing the Golf Board’s recommendation to Council, to reappoint Tracy Dooley and Tom Kragh to the Golf Board. **Motion made by Councilman Corse, seconded by Councilman Funke, to approve the reappointment of Tracy Dooley to September 2007 and Tom Kragh to October 2007 as members of the Golf Board. Motion carried unanimously.** Murat Kalinyaprak asked if these positions were actually vacant since they were not approved by Council. Mayor Ingram clarified that as a rule those members wishing to continue on boards are reappointed by Council and this was an oversight.

VOID THE EXTENSION OF TWO GOLF BOARD MEMBERS BY THE GOLF BOARD ITSELF, ADVERTISE AND APPOINT TWO NEW MEMBERS - MURAT KALINYPRAK: Murat Kalinyaprak said the rules were broken and questioned the process of reappointing members to City boards. He asked that upon expiration of each term the positions be advertised, soliciting to allow new members to serve. Mayor Ingram asked and City Attorney James Raymond gave his opinion that the members were originally appointed by the City Council and conformed with the City’s ordinance. Murat Kalinyaprak asked Council to void the appointments, which he felt were not done according to the rules. Mayor Ingram asked Council if they wished to make a motion. No motion was made.

APPROVAL FOR GOLF BOARD TO PROCEED WITH CHANGING THE GOLF COURSE’S NAME TO “POLSON BAY GOLF COURSE” - TOM CORSE: Councilman Corse informed Council that after many months of discussions the Golf Board members have agreed to recommend

Council approval to re-name the City's golf course from Polson Country Club to Polson Bay Golf Course. They felt that the country club name could easily mislead people into thinking it was private and they hope that the name change will help to increase the golf revenues. **Motion made by Councilman Corse, seconded by Councilman Clavadetscher to proceed with the name change of the City's municipal golf course from Polson Country Club to Polson Bay Golf Course.** City Treasurer Bonnie Manicke informed Council that she spoke with the Bond Attorney about this proposal and he informed her that the proper way to proceed with the name change would be for Council to pass a resolution. City Attorney James Raymond replied that he would prepare a resolution for the next Council meeting. Greg Hertz asked Council to consider naming it Polson Municipal Golf Course. Councilman Corse replied that municipal has a connotation that it is poorly maintained and not high quality. Murat Kalinyaprak suggested that if they named it Polson Community Golf Course, it would have the same acronym and would save some of the cost associated with a name change. He was in support of the name change and felt it would increase revenues. **Motion carried unanimously, to proceed with the name change for the City of Polson Municipal Golf Course from Polson Country Club to Polson Bay Golf Course.**

Mayor Ingram removed himself from his chair and asked Councilman Corse to chair the meeting for the next agenda item.

2006 ANNUAL BOND ISSUES AND DEBT SERVICE REPORT - BONNIE MANICKE: City Treasurer Bonnie Manicke presented the 2006 Annual Bond Issue and Debt Service Report to Council. She noted that in the City's Special Improvement District Bonds, there were only four delinquent accounts and she was able to call the bonds and stay on schedule. The City's twenty year Municipal Golf Course Revenue Bond is self-supporting and has sufficient revenues from the rates and fees that are charged, to make the payments. She clarified that the City has no other revenue bonds. This year's annual payment including principal and interest is \$125,080. The bond matures in 2017 and could be called early in 2007. The City's total indebtedness including all departments as of March 2006 is \$1,411,634.58. **Motion made by Councilman Lies, seconded by Councilman Clavadetscher to accept the 2006 Annual Bond Issues and Debt Service Report prepared and presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

OTHER PUBLIC COMMENTS NOT ON THE AGENDA: Peter Daniels asked Council to give further consideration to senior citizens like himself and provide adequate seating and a microphone for council meetings.

Murat Kalinyaprak asked that Council follow the rules to appoint board members and announce the vacancies when terms expire. Mayor Ingram explained that the golf board members have been appointed and approved by Council and it was an oversight. City Attorney James Raymond agreed with Mayor Ingram. Councilman Lies clarified that the golf board did recommend those members to be approved by Council and Council did vote to approve their appointments. Mayor Ingram apologized for the oversight that the golf board's recommendation to reappoint them did not get carried forward to Council.

Greg Hertz said he hopes that inefficiencies will be addressed now that the Council has accepted the Super Wal Mart's Community Impact Report. He expressed concern about the future development of the twenty acres that are not part of the Super Wal Mart proposal. Mayor Ingram noted that it is up to Wal Mart to mitigate the impacts they create as specified in HKM's report. Greg Hertz also noted that the twenty-eight acre tract they currently have will be purchased by another developer, adding to the stores in that area.

Elsa Duford expressed concern about the lack of water pressure on Mission View Drive and the effect that the Super Wal Mart will have on that situation.

Ethan Smith asked and it was clarified that the emergency services report from the Police Chief will be included as part of the staff report, in Super Wal Mart's subdivision application.

Mary Sale asked that Council consider the impact of this development if the Super Wal Mart moves out after a number of years, which has happened in other communities.

Meeting adjourned at 8:40 p.m.

Randy Ingram, Mayor

ATTEST: _____
Aggi G. Loeser, City Clerk