

CITY OF POLSON

COUNCIL MEETING

Commission Chambers

February 19, 2014

7:00 p.m.

ATTENDANCE: Mayor Heather Knutson, City Commissioners: Todd Erickson, Dan Morrison, Ken Siler, Jill Southerland, Stephen Turner, City Manager, Mark Shrives, and City Clerk Cora Pritt.

ABSENT: Commissioner John Campbell

Others present (that voluntarily signed in): Elsa Duford, Dennis Duty, Mark Evertz, Lita Fonda, City of Polson Streets Superintendent Terry Gembala, Rory Horning, Sam Jacobson, Shari Johnson, Paul London, Bonnie Manicke, Andrew Speer, David Venters.

1. CALL TO ORDER

Mayor Knutson called the meeting to order. The pledge of allegiance was recited.

2. APPROVAL OF PROPOSED AGENDA

Commissioner Turner motioned to approve the Proposed Agenda. Commissioner Erickson seconded. No discussion from Commission or Public. **VOTE: Unanimous Motion carried**

3. APPROVAL OF CITY COMMISSION MEETING MINUTES FEBRUARY 3, 2014-

Commissioner Morrison motioned to approve the City Commission Meeting Minutes February 3, 2014. Commissioner Siler second. Commission Discussion: none Public Discussion: Rory Horning recalled a comment that former Commissioner Duford made regarding the editing of comments it actually changes the content of what people say. As an example of the minutes, when the representative of the Salish/Kootenai Tribes can speak, it was pretty well written down verbatim. But, we really can't get the public down verbatim, this is just sad, but maybe that could be worked on. Mayor Knutson thanked Mr. Horning for his comments. None **VOTE- Commissioner Southerland Abstained VOTE: Unanimous Motion passed.**

4. CONSENT AGENDA-

a. JANUARY 30-31 CLAIMS

b. FEBRUARY 1-13 CLAIM

Commissioner Southerland motion to approve the Consent Agenda. Commissioner Morrison second. Commission Discussion: Commissioner Erickson questioned the placement of the cost for the city attorney, why it was listed in the Water/Sewer claims. City Manager Mark Shrives explained that the time the city attorney spends with each department is now charged to each individual department. Mayor Knutson asked Commissioner Erickson if he had a question about the claims in particular. Commissioner Erickson asked about the Tax Increment claims. City Manager Shrives explained that those claims were bond payment. **Public Discussion: None VOTE: Unanimous motion carried**

5. CITY MANAGER COMMENTS- Congratulations – Over the last few weeks I have received numerous calls regarding the great work the Street Department has been doing not only plowing the snow, but then quickly getting the streets cleared of all of the piles. I would like to congratulate the street department of Terry Gembala, Bill Smith and John Hart. I would also

like to thank Mike Johnson of the Parks Department, who also assisted on some of the real heavy snow days.

Donations –Police Department – Received a directed gift of \$500 from Chuck and Penny Jarecki for the Drug Task Force. Fire Department received two separate donations, one for \$100 and one for \$200 from members of the community

Fire Department Agency Evaluation – Tomorrow night at 7:00 PM, the consulting firm Emergency Services Consulting International will present their findings regarding the agency evaluation they were contracted to perform. This evaluation looked at both the City Fire Department and the Rural Fire District. This will be a joint meeting of the City Commission and the Rural Fire District.

Heart and Soul Project – The Polson Heart and Soul project will be holding an Action Summit & Winter Carnival on March 16th at the High School. They have asked that these cards be filled out and turned in prior to the summit. You should have received the cards in the mail about two weeks ago. This meeting will be the final vetting of the Community Values and will be the completion of the Heart and Soul Project with the exception of the final product that will be produced. As a part of the transition plan, the City has been offered a grant to put a program in place that will continue to provide community outreach. After looking at several options, it appears what will be the best choice to keep the community informed is a community calendar that will be hosted on the City website. This calendar will allow multiple organization sand agencies to post their specific event onto their calendar, which will then automatically post onto the community calendar. The grant will pay for the initial subscription and then several years of continuing subscriptions. We are still in the process of working through all of the details.

PUBLIC COMMENT: Elsa Duford asked if there would be copies of the Fire Department report available at tomorrow evenings meeting. City Manager Shrives answered that there will be 2-3 copies available. Mr. Shrives reminded the public that there is also a link on the City's website that will take one to the report. **Rory Horning** commented on the Community Calendar, please consider putting in Municipal, County, and State meetings also. Not just the fun social things but things that inform the community of what our government is doing.

6. APPROVAL OF USE OF USE OF SALISH POINT PARK FOR THE 4TH FLATHEAD LAKE BLUES FESTIVAL, WITH ASSOCIATED ROAD CLOSURES, NOISE LEVEL, EXTENDED EVENT HOURS, AND OPEN CONTAINER WAIVERS.-this item was presented by the Flathead Lake Blues Festival Treasurer David Venters. The event will be the third week-end in August 15th & 16th, 2014. There have been zero complaints in three years and there is a great crowd. The 2013 Flathead Lake Blues Festival by the Numbers: more than 600 in attendance over two days. Fifty businesses pledged \$13,500.00 in support and in-kind contributions. \$7,700.00 was generated in ticket revenue. \$16,200.00 was paid out to 18 local and Flathead area businesses, and 17 local, Flathead area musicians. 15 food, beverage, and craft vendors participated. \$385.00 (5% of ticket sales) was donated to the Salish Point Renovation Fund. \$251.00 was deposited to the new Student Band Instrument Fund account to be used to help local students to purchase instruments. About 30 campers used the Lenz property for camping. 100% of hotel rooms in Polson were full during Blues Festival week-end. Mr. Venters is asking for the waiver of the noise level on Friday and Saturday from 12:15 p.m. to 12:15 a.m., extend the park hours until 12:15 a.m., waiver of the park open container, road closures and use of barricades, and have the City Parks Department assist with set up of park. Mayor Knutson asked if City Police Chief Wade Nash's concerns were taken care of. Mr. Venters replied that he had met with Chief

Nash and they had addressed the concerns. Mayor Knutson then asked about the boaters used to coming in and out. That the area be marked before the event so that the boaters will know the piers will be closed. Mr. Venters commented that there hasn't been a public pier the last two years. The public docks located at The KwaTaqNuk is beyond the festival area so there won't be an issue. City Manager Shrives commented that there should be a time listed on the open container waiver and the park closures. Mr. Venters commented that the event will begin at 4:00 p.m. on Friday. The park will be open from 3:00 p.m. until Midnight. On Saturday from Noon until Midnight with the music beginning at 1: 00 p.m. Mayor Knutson clarifies that the request for the waiver of the open container should read: Waive the Park open container ordinance for Salish Point Park from 3:00 p.m.-Midnight for Friday, August 15th and from Noon to Midnight for Saturday, August 16th. **Commissioner Southerland motions The City of Polson waive the PDC noise level ordinance until 12:15 a.m. Saturday morning August 16, and until 12: 15 a.m. Sunday morning August 17., Extend park hours until 12: 15 a.m. Saturday morning August 16, and 12: 15 a.m. Sunday morning August 17; Waive the Park open container ordinance for Salish Point Park from 3: 00 p.m. – Midnight on Friday, August 15 and from Noon to Midnight Saturday, August 16; Allow Flathead Lake Blues Festival use of Salish Point Park the following dates and time: Setup day Thursday, August 14 (park open to public). This includes the cleaning the area of goose and dog waste, paper litter, etc. Festival Friday, August 15 (park admission by ticket only) 3 p.m. to Midnight and Saturday, August 16 Noon to Midnight; Finish clean up Sunday, August 17, (park open to public) Most of the large items (stage, canopies) will be removed immediately after festival; Close Salish-Kootenai-Pend O'reille Loop from no later than 12:01 a.m. Friday, August 15, to 12: 01 a.m. Sunday, August 17; Close Kootenai Avenue from 3:00 p.m. August 15 to 12: 15 a.m. August, 17. Commissioner Siler second. Commissioner Discussion: Commissioner Erickson asked about the involvement of the KwaTaqNuk. Mr. Venters answered that the KwaTaqNuk is one of the sponsors. **Public Comment: Elsa Duford**-commented that she was one of the ones that was opposed to the banning the use of alcohol in the parks. Because of the way that the ordinance is written, it does talk about alcohol being displayed. So, there is a little bit of a problem when people use alcohol in the park, and selling it in the park, you are running head long into the ordinance its self. Elsa further commented that she is not opposed to people having alcohol, and she understands Wade's concern over his personal experience, but will you not run into a problem because anytime someone has a can of beer in their hand they are displaying alcohol. So you should take another look at the ordinance that is banning alcohol in the park. **VOTE: Unanimous; Motion carried****

7. DRUG TASK FORCE UPDATE: Police Chief Wade Nash presented the update. The task force is almost one year old. There are currently three agencies, Tribe, Sheriff, and City. The first year has been more productive than anticipated. The City and Tribal officer's worked almost a half-year by themselves. In 2013, there have been 74 felony cases filed, and 26 search warrants, over 100 felony cases in a little under a year. In the past six months there have been updates given but the arrests haven't been in the news. The reason for this is that the process through District Court, the Lake County Attorney won't charge someone until there are lab results from the State Crime Lab. Once a confirmation of illegal substance is sent back, then the arrest is made. There can be a lapse of six months. Of the 74 cases from 2013, just yesterday Chief Nash received a check in the amount of \$1,300.00 from Lake County Sherriff's Office pertaining to a case and the monies were to be forfeited back to the drug fund. Chief Nash sat down with the Drug Task Officer's and created the spread sheet that was handed out. The spread sheet covers the month of January 2014 only. Chief Nash reviewed the spread sheet and explained the sheet. The drug task force team works hand-in-hand with Northwest Drug Task Force and the Mid-Western Drug Task Force in Missoula. Issues we face in our community started this task force. The Polson Police Department had 7, 820 calls for a 13 man department, plus the Drug Task Force. Two weeks ago, the Butte Speech & Debate Team broke down at 12:30 a.m. coming back from competition. Lake County Sherriff's Department and Montana Highway Patrol were not around. The City Police responded to the stranded school bus. Due to the length of time, the Police ended up transporting the students to the County building across the bridge. The Butte High School

Principal sent a letter thanking the City of Polson Police Department for their assistance. Chief Nash then answered questions from the Commission. Mayor Knutson commented that this update was helpful and hopefully the drugs will begin to go down. Chief Nash replied that with the help and cooperation of the multi-agencies there will be a reduction in the drugs. Commissioner Erickson asked if we are indeed a corridor. Chief Nash answered that in the last 5 or 6 years the meth labs that cook the meth are located in Washington state then brought back to Montana and sold. Public Comment: None

8. APPROVE RESOLUTION NO. 1053 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA, CALLING FOR AN ELECTION ON THE QUESTION OF CONDUCTING A LOCAL GOVERNMENT REVIEW AND ESTABLISHING A STUDY COMMISSION TO DO SO.

City Manager Mark Shrives presented this agenda item. By Montana Code Annotated (MCA) every 10 years every city and county in Montana must put on the ballot if the electors want to have a local government study commission. So, what this resolution is doing is asking that question if the electors want to have a study commission. If there is a “yes” vote, then there is another process followed where a study commission is appointed or elected and that would occur in the general election in November. The study commission would have a year after to go through and determine any changes in the form of government that the City is operating under. The requirement right now is to get this resolution over to Elections by March 10th so it can be included in the ballot in June. One of the other requirements was to include a cost estimate. If the vote is yes to have a study commission, our estimate based on guidelines given, which includes travel and various other costs associated with the study, is roughly \$14, 500.00. If the vote is “no”, then that ends it. Basically it says that the electors don’t want to change the form of government, and you don’t proceed. This resolution is to just put the question on the ballot. Mayor Knutson clarifies that this is State law to have this resolution voted on by our City Council and submitted to the County for the elections. Mayor Knutson questioned if the resolution itself comes from the Code. City Manager Shrives informed her that a sample was provided by the Local Government Center which went out to all cities and towns in Montana. Mayor Knutson then commented that we specifically added the dollar amount but other than that it was word for word. City Manager Shrives answered yes. **Commissioner Siler motioned to approve Resolution Number 1053. A resolution of the City Council of the City of Polson calling for an election on the question of conducting a local government review and establishing a study commission to do so. Commissioner Southerland second.** Commission Discussion: None Public Discussion: **Elsa Duford** commented that she was elected to the last study commission. Four people were appointed to it. When she saw the estimated budget figure, she did more than blink because of the extremely high cost in my opinion. And the taxable value placed on a \$100,000.00 property. She just is questioning if these figures could possibly be right? Elsa further commented that she was not going to argue with anybody, she was just going to tell you that the study commission that she was on, the last one, the City budgeted \$4,000.00 for expenses for two years of study. So, when Elsa saw this \$14,500.00 she just couldn’t believe it could be that much inflation involved in a study commission. Consultant services \$3,000.00, court reporter we didn’t have a court reporter. They recorded the meetings so that we could have minutes of the meetings. It’s just way more than she could imagine it would cost that it cost that much more than we had. She is in favor of having the study commission but would like somebody to recheck these costs and see if this is realistic than spending \$4,000.00 for two years including this inflation factor. Thank you.”

VOTE: Unanimous Motion carried.

9. APPROVE JOHANA MORRISON AND BILLIE JO RINKE, FOR A ONE YEAR TERM ON THE BOARD OF ADJUSTMENT, TO EXPIRE DECEMBER 31, 2014. APPROVE LARRY ASHCRAFT AND TRUDY PEDERSEN FOR A THREE YEAR TERM OF MEMBERSHIP ON THE BOARD OF ADJUSTMENT, TO EXPIRE DECEMBER 31, 2016.

City Manager Mark Shrives presented this agenda item. There were four additional applications for the Board of Adjustment received. There were two terms that are one year, and two terms are three year. The applicants

requested the term in which they wanted to serve. This will fill the Board of Adjustment and be able to move forward as requests come in for review. Mayor Knutson makes a correction on the spelling of Johna Morrison's name. **Commissioner Turner motion to approve the applicants Johna Morrison and Billie Jo Rinke for a one year term on the Board of Adjustment, to expire December 31, 2014. I also move to appoint Larry Ashcraft and Trudy Pedersen for a three year term of membership on the Board of Adjustment, to expire December 31, 2016. Commissioner Erickson Second.** Commission Discussion: none Public Discussion: none **VOTE: Commissioner Morrison abstained. 5 ayes Motion Carried**
Mayor Knutson thanked all who serve on the City Boards.

10. WATER PROJECT UPDATE presented by Civil Engineer Shari Johnson. Shari began with a slide presentation: Polson Water System Improvements 2013 TSEP-Downtown Looping. City Manager Shrives explained that there are several water projects going on. This project is close to having the design done and going out for the actual project. City Manager Shrives asked that Shari and Water/Sewer Superintendent Tony Porrazzo put this presentation together for the benefit of the new members of Council. This TSEP project is a culmination of several years of work. This project will replace the watermains downtown. All of the area outlined on the map has been targeted as a hydraulic constriction area. The TSEP Grant program has been a good program for the City of Polson. This program has awarded a grant to the City each time the City has applied for it. Tony Porrazzo commented on the amount of work that has already been done. Tony pointed out some of the new mains that have been placed, as well as new road construction. Tony explained that the Project Priority is actually a water model that is used in determining where work needs to be done next then setting priority for the other projects. Shari continued to explain that Anderson Montgomery will have the design completed and ready for review around the middle of March. The bid advertisement and award will be the beginning of summer, with construction to take 60 days. We are working with bid strategies to make sure that there are no disruption of tourist activities and traffic as much as possible. Two of the blocks that will be replaced are on the Highway itself. Strategizing this is very important and key to the project. Council Discussion: Commissioner Erickson asked about the water rates compared to other cities. Shari answered that we are currently conducting a rate study presently to determine where we are at, and where we should be. The statewide information is collected and charted. The chart is given to the Montana League of Cities and Towns. Public Discussion: **Sam Jacobson** asked about the storm drainage projects? Tony Porrazzo answered that that would be coming. They are diligently working on it. **Rory Horning** addressed his comment to Commissioner Erickson regarding the water rates. These rates will be compared to rates from across the State. Make sure you have the history of the rates here in the City. Here is where we pay. Here is where our people suffer. If you go back five administrations, you will know that our rates were almost doubled so that we could qualify for TSEP Grants. We have been paying a lot of money. The water is free. It's the operation we will be paying for. Watch our history, not the State's history.

11. PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC **NOT ON THE AGENDA.**

Lee Manicke-commented on the return of the horse and rider made it back home. Thank whoever facilitated bringing it back home. (note that Lee Manicke was referring to the C.M. Russell picture). **Chief Wade Nash**-forgot to mention that he had been contacted by Tim Lake. Chief Nash partnered with Mr. Lake in applying for a grant two weeks ago from the Northwest Farm Credit Services. The grant was for \$3,000.00-\$5,000.00. The Chief should know something in two months. The monies would be used for the Police Department/Drug Fund.

Rory Horning- had two comments. The first comment was the wording on the agenda regarding Public Comment. Mr. Horning does not feel that the agenda should read Commission takes no action on items discussed. Mr. Horning commented on his repeated request for the written resignation from former City Attorney James Raymond. So, Mr. Horning turned in a formal written request. Mr. Horning further

commented on the presentation that was given by the CSKT Tribal member at the February 3, 2014 meeting. Mr. Horning questioned why none of the Commissioner's asked the representative why is it that the constituents pay state taxes for those streets and then you are taking federal taxes and giving it for the same street. That is dual taxation.

**Mayor Knutson requests a motion to adjourn. Commissioner Siler motion to adjourn. Commissioner Erickson second. Commission Discussion: none Public discussion: none
Vote: Unanimous Motion Carried**

ADJOURN: 8:13 P.M.

Mayor Heather Knutson

ATTEST:

Cora E. Pritt, City Clerk