

**POLSON CITY COMMISSION MEETING MINUTES  
CITY HALL – CITY COMMISSION CHAMBERS  
MONDAY, APRIL 5, 2010, 6:00 P.M.**

**ATTENDANCE:** City Commissioners: Ron Boyce, John Campbell, Judy Preston, Mike Lies, Elsa Duford, Fred Funke, and Mayor Pat DeVries presiding. City Attorney James Raymond and City Manager Todd Crossett absent. Others Present: Marilyn Trospen, Suzanne Luepke, Mary O'Brien, Maryann Jones, Jack Guns, Al Suneson, Jake Block, Ric Smith, Margie Hendricks, Bonnie Manicke, Dan Lozar, Bonnie Tripke, Ivy McGowan, Carol Daniels, Peter Daniels, Rory Horning, Murat Kalinyaprak, Trudie Hunsucker, Ken Siler, Jim Redmond

**CALL TO ORDER:** Mayor DeVries called the meeting to order and the Pledge of Allegiance was recited.

**PUBLIC HEARING – NORTH LAKE COUNTY PUBLIC LIBRARY DISTRICT TO INCLUDE POLSON CITY LIBRARY IN THE DESIGNATED AREA:** Jacob Block gave an overview of the various services and resources a library district would provide. A library is a valuable asset for any community, and Polson's library's cardholders had increased 37% since 2009 to 8,000 cardholders in Lake County. The sources of funding, which relied heavily on gifts and donations, dwindled as demand for the library services had increased. They felt that the North Lake County Library District, which would overlap high school district 23, would be a sustainable and equitable solution to sustain the library and its services. The previous attempt to pass the library district had been fraught with confusion and misconceptions. Despite falling 120 votes short in the previous election, they were confident that this time information was clearer and more available. The County had already passed a similar resolution in support of the library district. They were proposing the tax to be at 11.14 mills. He broke down the total projected revenue and how that would be dispersed among salary, supplies, books, and building repairs. Services would be expanded and sustained. There are also various learning and reading programs for children, teens, and adults, which would also be expanded. The internet access and WiFi was a valuable tool, which was constantly utilized by the public. He went over various other services the library provided, including testing, auto repair reference center, genealogy searches, shared library catalogues, and the Story Shuttle. Future plans included evening hours, more computers and informational programs, and various other services. He lamented that without the library district, services would have to be reduced as private donations dissipate. He encouraged anyone who supported the library to volunteer or host a neighborhood gathering, spread the word, support the campaign, and vote for the district. Bonnie Treipke invited the Commissioners and public to the coloring contest winners' ceremony at the library April 16<sup>th</sup> at 4:00 p.m. Jackie Gran commented that the committee had been enthusiastic and driven over the last two years to put the library district together.

**The Public Hearing adjourned at 6:46 p.m.**

**Mayor DeVries called the meeting back to order at 7:00 p.m.**

**PUBLIC HEARING – PRELIMINARY ENGINEERING REPORT – CITY OF POLSON WATER SUPPLY, STORAGE AND DISTRIBUTION SYSTEM:**

Scott Anderson, of Anderson-Montgomery Engineering, explained the PER, a technical analysis of the system, storage, wells, and distribution over the next 20 years. They had developed a financial report and had incorporated the hydraulic model results from TD & H's report. He wished to keep the public informed. Their system analysis would include deficiencies in the system and incorporate future rules and regulations they anticipated. They would evaluate viable solutions; develop costs, environmental impacts, and a strategy for implementation. He reviewed the new water tank on Skyline that was built through grant funding they had received from the previous PER. The old water tank that remained in service would be renovated once the new tank was online. He pointed out that keys to success were factuality, compliance with the PER outline, reasonable capital and management costs, address existing and future regulations, a workable plan, and public involvement. He gave an overview of the current water storage system, pressure zones, and the lines that connect them. He noted that they were looking at drilling an additional well south of Hwy 35. For the report he had established a 3% projected growth rate over the next 20 years. The water use, capacity, demand, and GPM were discussed. He noted that in that 20 year time period the capacity could be exceeded, the City was aware of that and they were looking at alternate well locations. Unaccounted for water was a concern at nearly 30%, much of which might be lost due to leakage in antiquated parts of the system. Unmetered facilities, such as the City buildings and parks were another source of unaccounted for water. He added that amount of unaccounted for water was not uncommon in older communities. The City had already been proactively replacing non-working meters systematically over the last several years. There are complex water rights issues, variable aquifer characteristics, and drought concerns as well. The City is remaining involved in the water rights issues as they are developed in the coming years. A lack of adequate flow to fight fires in the downtown area was a concern; the Main Street water main replacement would help to increase the flow to some of the downtown. He expressed that the system was in good shape, and all of the needs of the system he'd addressed had current or upcoming projects. Looping the water system together was another continual project. The total cost of the projects proposed in the PER was \$2,341,864, and including a new well, storage tank, and distribution improvements. He listed various sources of funding through Treasure State endowments, DNRC grants, other grants, and the Montana State revolving loans. He expected increased competition for grants in the current economy. He overviewed the costs for users with and without additional grant funding and with SRF loans. The PER would be completed by the end of spring and he would also be developing a CIP (capital improvements plan). They would be able to apply for grants beginning in the summer of 2011. Commissioner Preston was curious about gray water irrigation on private property. Scott Anderson replied that he did not know, but it would depend on state law and what kind of treatment that required. Al Suneson questioned why the City had not looked into negotiating with the Tribe to use lake water. Scott Anderson replied that a treatment facility using surface water would require would cost 3-4 million dollars. He added that in the future there was always the potential to utilize the surface water. Suzanne Luepke inquired about the aquifer recovering. Scott Anderson replied that a drought in 2006 had caused a drop in the aquifer, however since then it was recovered and is producing 300-400 more gallons per minute. He warned that drought in the following years would affect the wells. Margie Hendricks commented that she believed some of the GPM numbers were incorrect in the report. She referenced pumping records and commented that wells 6 and 7 GPM capacity was not correct because they could not pump simultaneously. She also commented that the summer

GPM capacity was incorrect. Scott Anderson replied that he was not aware of those limitations, but he would research the questions and send back a response. Rory Horning inquired if the EDU's included unmetered buildings. Scott Anderson replied that they were mainly City facilities and parks, and the EDU's reflected the total water used. Rory Horning commented that it was interesting he had referenced the economy and asked if engineering fees had increased. Scott Anderson replied that when the economy was down, it was easier to negotiate rates. Firms become more competitive when there was less business. Murat Kalinyaprak questioned how, if Mrs. Hendricks comments were correct, the engineering study had missed such important facts. He added that if she was correct, Anderson-Montgomery should give a discount. Scott Anderson replied that he worked with information provided by the City, and he would respond to Mrs. Hendricks comments. John Swenson inquired about the 3% growth rate. Scott Anderson replied that using past census data and Department of Commerce data from 2000-2008, that had been the average over the past 30 years. John Campbell noted that Anderson Montgomery had been successful in acquiring grants through TSEP and DNRC on past projects.

**The public hearing adjourned at 7:50 p.m.**

**Mayor DeVries called the regular meeting to order at 7:51 p.m.**

**APPROVAL OF PROPOSED AGENDA: Commissioner Preston moved to approve the agenda as proposed, with the exception of item #14, Resolution #1008, to be moved to directly after the consent agenda. Commissioner Campbell seconded the motion. The motion carried unanimously.**

**CONSENT AGENDA:**

- A. CITY COMMISSION MEETING MINUTES MARCH 15, 2010**
- B. MARCH 15-30 CLAIMS**
- C. PARK BOARD APPOINTMENT – KELLY WARE**

**Commissioner Funke moved to approve consent agenda items A-C, seconded by Commissioner Preston. The motion carried unanimously.**

**RESOLUTION #1008 – CONSOLIDATION OF AN EXISTING PUBLIC LIBRARY INTO A PUBLIC LIBRARY DISTRICT:** Jackie Gran advised that the resolution would support the creation of the library district, the boundaries of the district, and use of the current building. **Commissioner Lies moved to approve Resolution #1008, consolidation of an existing public library into a public library district. Commissioner Funke seconded the motion.** Commissioner Duford expressed that the library programs were great ideas, but she attended tax protest meetings this year and was concerned about increasing mill levies. **The motion carried unanimously.**

**SCHEDULE WORKSHOP ON THE SEWER TREATMENT PLANT TO ALLOW CITIZENS TO UNDERSTAND THE FINANCIAL IMPACTS OF THE DIFFERENT OPTIONS FOR SEWER TREATMENT PLANT:** Tim McGinnis, President of the Riverside Terrace, asked that the minutes from March 15<sup>th</sup> where he stated the size of the sewer lagoon property reflect the actual size of the property. He requested the Commissioners reschedule the workshop on the treatment plant and look at all of the available options. He felt not holding the

meeting did not seem to fit in with direction the City was taking. Commissioner Preston inquired if he was asking for a meeting to inform the Commissioners or the public. Tim McGinnis responded that he assumed the public would be invited to the meeting. He stressed that this was a long-term decision, and he had not heard any discussion since the previous meeting. Ric Smith expressed his support for holding a workshop for the Commissioners and the public. He explained that the Treatment plant report had only raised more questions than answers for him. He felt the decision they should take the time needed to gain a better understanding, and it was not vital for them to decide whether or not to purchase a building for the treatment plant that night. There was no downside to waiting on the decision and having a better informed public. He urged the Commissioners to schedule a public hearing and table the agenda item to purchase the Meridian building or not. He expressed that it was a big decision, affecting future generations, and it wouldn't hurt to have more information. Murat Kalinyaprak questioned what Tim McGinnis and Ric Smith's interests were in the matter and what business links they had. Tim McGinnis responded that he was there on behalf of the Riverside Terrace Homeowner's Association, which were the neighboring properties of the current sewer lagoon. Murat Kalinyaprak asked if he had any property listed for Mike Maddy. Tim McGinnis replied that he did. Murat Kalinyaprak asked what else. Mayor DeVries informed Mr. Kalinyaprak that he had gone far enough, if the other members of the public wished to answer they could. Ric Smith responded that his interest was finding out what was best for the City. He asked what Mr. Kalinyaprak's interests were in the matter. Rory Horning commented that he was glad to see such open public discourse. He agreed that sometimes it was difficult to follow the bouncing ball, and decisions should be plain enough for all to understand. He was in favor of holding a public hearing. He asked that the all people be allowed to comment, and limiting those comments flied in the face of the flag displayed behind the Commission. Ric Smith commented that as a community they needed to move beyond this, they needed to learn to have honest, civil, different opinions that don't split the community. He added that he had been bothered by Mr. Kalinyaprak's tone. Rory Horning rose to a point of order, and asked if the Mayor would be upholding the meeting conduct ordinance, or not. Mayor DeVries replied that the Commission was doing their best to uphold the goals of the ordinance. John Swenson inquired if the location of the treatment plant would have a bearing on the highway bypass. Mayor DeVries replied that it did not. Dennis Anderson commented that it seemed most of the people were interested in having more info. He added that the location should be decided on for what would be the best fit for Polson, regardless of who owns it. He felt they should wait to decide on purchasing a building until the treatment project was decided. Murat Kalinyaprak commented that he felt that he was being made to feel he had done something wrong by asking questions about people's intention. He added that at one point he had said it didn't matter who owned the building, but now felt it might be important. He added there might be some ethics issues involved as well. Margie Hendricks urged the Commissioners to come to a decision about the building. Tim McGinnis pointed out that in the July 2007 the City Council minutes referenced purchasing the Meridian building for the treatment facility before Mike Maddy had purchased B & I Holdings. Past minutes referencing the Meridian building and its possible uses were discussed. Commissioner Preston commented that it didn't matter who owned the building, she was struggling with it being a viable option for a sewer treatment plant. Ric Smith expressed that he understood the desire to move forward, but he did not see a downside to having a public workshop and creating a better-informed public. Peter Daniels commented that he had worked for a bank that gave loans to organization that were planning to retrofit buildings for special

needs, and the cost usually exceeded their estimations. Carol Jones felt that the Commissioners had the best interests of the public in mind, and she felt if they had adequate information they should make the decision. Commissioner Boyce commented that he was torn; he felt he had had enough information, but he did not want to move on without having the public fully informed. He agreed that it wouldn't hurt to wait a couple more weeks for a 20-year project. **Commissioner Boyce motion to schedule a sewer treatment facility workshop before the next regularly scheduled Commission meeting, seconded by Commissioner Preston.** Commissioner Preston asked if the engineer would be attending the meeting. Commissioner Boyce expressed that his intention was to have a workshop to go over the information in the packet they had recently received and posted to the website. Murat Kalinyaprak commented that the information had been available for nearly a week, and all of the public that were interested were in attendance. He added that he did not see a need for a workshop. Rory Horning commented that they had allowed discussion to go beyond the agenda item, but he now had faith that the elected officials had a right to vote when they felt ready. He commented he had been accused in the past of trying to stop votes like this, but he encouraged them to go forward with a decision. Ric Smith thanked Commissioners Boyce and Preston for making a motion. He expressed that even this discussion had raised more question, and one piece of the data suggested that the City could save \$1 million. Dennis Duty commented that it was a big decision, and if they could have an engineer speak to whether or not they could retrofit. He felt the building decision should be directly related to the plant. Margie Hendricks commented that the land underneath the Meridian building and on the riverside was clay and springs. She expressed concern about the weight of retrofitting disturbing the subsurface; which would disintegrate into liquid clay. Dennis Duty commented that there were many unknowns when you construct a new building, especially land near the river. He wondered if taxpayers money would be saved by using the existing building or constructing a new building. He felt there was not enough information to draw that conclusion. He noted that City staff had been out in the field researching this and had made a recommendation, and he felt it was a negative to make the decision without them present. Murat Kalinyaprak commented that the information was available in a timely fashion to the Commission and the public, and he felt postponing because some people didn't see it was ridiculous. Tim McGinnis commented that the info was available, but it still appeared the Meridian building would be the cheaper option. He wished to see a workshop to clarify the questions the report had raised. Commissioner Campbell commented that the Meridian building cost estimate was cheaper because they were comparing it to an equal sized 20,000 square foot space. However, all of their engineering reports suggested they only needed a 10,000 square foot building, changing the cost of a new building dramatically. Rory Horning accused the Commissioners of being unfair and picking on some members of the audience. **The motion failed, 6-1. Commissioners Funke, Duford, Preston, Campbell, Lies, and Mayor DeVries against. Commissioner Boyce in favor.**

**WHETHER TO PURCHASE THE MERIDIAN BUILDING FOR FUTURE SEWER TREATMENT PLANT – PURCHASE BUILDING FOR \$700,000 OR NOT:** Commissioner Campbell explained that he felt that the Commissioners had received their information on the building, and the owners of the Meridian building deserved to have a final decision so they could move forward as well. Mayor Devries directed attention to the value of the lease, which at \$326,000 had not been included in the report. **Commissioner Campbell moved to not purchase the Meridian building and to build the new treatment plant on the**

**current sewer lagoon property. Commissioner Funke seconded the motion.** Ric Smith called attention to the estimates from 3 different engineering firms, which implied using the Meridian building would save the City nearly \$1 million. Commissioner Campbell commented that the Meridian building cost estimate was cheaper because they were comparing it to an equal sized 20,000 square foot space. However, all of their engineering reports suggested they only needed a 10,000 square foot building, changing the cost of a new building dramatically. Mayor DeVries added that block buildings had been used for other similar treatment facilities, and using a steel building concerned her. Using the Meridian building would mean a significant cost to study the building to find out what retrofitting it would require. She pointed out the numbers Mr. Smith was looking at also did not reflect the present value of the lease. Rory Horning congratulated the Commissioners for being sharp enough and ready enough to answer questions from the public. **The motion carried unanimously.**

**REQUEST DONATION OF TWO 2011 SEASON GOLF PASSES FOR ROTARY SIGNATURE EVENT:** Jules Clavadetscher asked the Commission for approval to donate two 2011 golf passes for the Rotary signature event, which benefited projects for Polson schools and parks. He added that Golf Pro Roger Wallace was in favor of the donation. **Commissioner Funke moved to approve the donation of two 2011 season golf passes for Rotary signature event, seconded by Commissioner Campbell. The motion carried unanimously.**

**REQUEST APPROVAL FOR POLSON REDEVELOPMENT AGENCY MEMBER – KEN AVISON:** Jules Clavadetscher informed the Commission that after advertising they had received one letter of interest, from Ken Avison. The PRA had voted to support the appointment of Mr. Avison. **Commissioner Lies moved to appoint Ken Avison to the PRA, seconded by Commissioner Boyce. The motion carried unanimously.**

**CRUISIN BY THE BAY CAR & BIKE SHOW – AUGUST 6-8 – REQUEST WAIVER OF OPEN CONTAINER LAW – VALLEY CRUISERS CAR CLUB:** Police Chief Doug Chase mentioned the Police Department had no problems with the waiver, the show had always been an excellent addition to the community. **Commissioner Funke moved to approve The Valley Cruiser’s Car Club Cruising by the Bay waiver of open Container August 6-8<sup>th</sup>. Commissioner Preston seconded the motion.** Rory Horning asked if Main Street would be repaired before the street festivals would be taking place. Mayor DeVries informed that it would not be completed until September. **The motion carried with 6 in favor, Commissioner Boyce abstained.**

**APPOINTMENT OF 2 GOLF BOARD MEMBERS AT LARGE – MURAT KALINYAPRAK, GEORGE MAHONEY, JAMES W. REDMOND:** Commissioner Lies moved to appoint the City Manager’s recommendation of George Mahoney and James W. Redmond to the Golf Board as at large members. **Commissioner Funke seconded the motion.** Rory Horning commented that it was fascinating they did not appoint someone who worked tirelessly, at no expense to the City on the operation of the golf enterprise fund. He felt they were doing an injustice. **The motion carried with 6 in favor, Commissioner Duford abstained.**

**RESOLUTION #1007 – CITY OF POLSON IDENTITY THEFT PREVENTION PROGRAM IMPLEMENTATION OF FEDERALLY MANDATED REGULATIONS RELATED TO WATER, SEWER, AND STORMWATER BILLING:** Mayor DeVries informed the Commission that City Attorney Raymond recommended passing the resolution. Suzanne Luepke asked how much the program would cost. Mayor DeVries replied that it would mostly be administrative staff time. **Commissioner Preston moved to approve Resolution #1007 as presented, seconded by Commissioner Funke. The motion carried unanimously.**

**RECOMMENDATION TO AWARD CITY ENGINEER CONTRACT:** Mayor DeVries advised that City Manager Crossett’s recommendation was to appoint Shari A. Johnson & Associates for \$5,632 a month flat rate. Commissioner Campbell pointed out that it was unclear if there would be additional costs for special projects. Mayor DeVries inquired if the Commission would like to table the item until they can see the written contract. **Commissioner Funke moved to table the recommendation to award the city engineer contract, seconded by Commissioner Duford. The motion carried unanimously.**

**CITY MANAGER COMMENTS:** Mayor DeVries read City Manager Crossett’s comments: The City had one a \$198,000 DEQ energy efficiency grant for lighting projects and upgrading City Hall.

He thanked Commissioner Lies for his labor repairing the golf course restaurant and help in the hiring process of the food and beverage manager. Susanne Tomer had been hired as the food and beverage manager.

MDOT was in its final selection process for a consultant for the HWY 93 alignment study.

County Commissioners Bill Barron and Paddy Trussler, and himself had held the first public meeting for the Skyline project with support from Lake County Development’s Billie Lee and Administrative Assistant Ardrene Sarracino. It had been a successful public meeting.

The next Polson Area Fire Stakeholders Group Meeting was scheduled for April 21<sup>st</sup> at 7:00 p.m. at the Fairgrounds Fire Hall.

The Main Street project was moving ahead with a start date of September 7<sup>th</sup>. The bid package was being finalized to be let and awarded the coming spring.

He thanked the Water and Sewer Superintendent Porrazzo, his crew, and the Contractor Steve Jensen for bringing in the Main Street water main project in two weeks ahead of schedule and 30% under budget. Commissioner Campbell concurred and said they were doing a good job of keeping Main Street clean.

Mayor DeVries considered moving the City Manager Comments section of the agenda closer to the beginning of the meeting.

She also mentioned that Golf Board appointments for both Ward 1 and 3 had expired, and the Commissioners of those wards would need to decide how to proceed.

**PUBLIC COMMENT ON MATTERS OF SIGNIFICANT INTEREST TO THE PUBLIC NOT ON THE AGENDA:** Murat Kalinyaprak expressed appreciation to Mr. Horning for acknowledging the time and effort he spent on the golf course. He had not submitted a letter for prior openings, but he’d been encouraged to. He had suspicions that they would appoint him in an attempt to pacify him. He encouraged the Commissioners to advertise for the golf board openings in Wards 1 and 3, as he was concerned about reappointing someone like Tom Corse automatically.

Ivy McGowan informed the Commission that she had been working with Lake County on the Multijurisdictional Alcohol Enforcement Team Agreement. All of the law enforcement agencies in Lake County were participating in the agreement, and they had been very successful. Although 6 of 23 businesses failed in selling to underage customers. They were working towards 100% compliance and Ethan Smith had trained 300 clerks and waiters in the area on how to card alcohol purchases.

Dennis Anderson invited the Mayor and Commissioners to have a booth at the Lake County Trade Fair on April 24<sup>th</sup>.

Rory Horning commended the Commission for tabling a non-existent contract. He mentioned that it was a shame Water & Sewer Superintendent Porrazzo was not in attendance after being complimented on upgrading Main Street when he had been concerned about being sued for doing that construction. He did not understand why the City Manager had not added him to the Rural Fire Stakeholders Group after requesting so in a meeting. He asked if the Commission had changed their position on altering minutes. Mayor DeVries replied that they were not. Rory Horning commented that he was glad.

Murat Kalinyaprak commented that he had seen a notice on yellow paper in City Hall that cited Montana Code on public disturbances in government buildings. He felt it didn't look good and was intimidating.

**The meeting adjourned at 8:11**

---

**Mayor Pat DeVries**

---

**Attest: Kala Parker, Assistant City Clerk**