

**POLSON CITY COUNCIL MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
MONDAY, MAY 5, 2008, 7:00 P.M.**

ATTENDANCE: Council Present: Jim Sohm, Tom Jones, Mike Lies, Elsa Duford, Fred Funke. Councilman Bruce Agrella absent. Mayor Lou Marchello presiding. City Attorney James Raymond present. City Manager Jay Henry present.

Meeting brought to order at 7:00 p.m. and the pledge of allegiance was recited.

Mayor Lou Marchello thanked everyone for their support, prayers and encouragement during his illness. He expressed a special thanks to Council President Mike Lies for filling in as Mayor. He also thanked Mike Lies, Tom Corse, Tom Jones, Kala Parker and Joan Hart for volunteering their time to provide restaurant service to the participants of the CASA Golf Tournament that was recently held at the Polson Golf Course in his absence,

APPROVAL OF PROPOSED AGENDA: Motion made by Councilman Lies, seconded by Councilman Funke to approve the proposed agenda. Motion carried unanimously.

CONSENT AGENDA: Motion made by Councilman Sohm, seconded by Councilman Junes, to approve the consent agenda, A. City Council Meeting Work Session Minutes, Monday, April 14, 2008; B. City Council Meeting Minutes, Monday, April 21, 2008; C. April 2008 Claims to be Paid. Motion carried unanimously.

VICWOOD CONDOMINIUM – FINAL PLAT APPROVAL – MARC CARSTENS - RON MELVIN: Marc Carstens expressed his appreciation to the City staff for taking the time, prior to this meeting, to verify that all the conditions have been met for the Vicwood Condominium development. He provided a letter to council with the department head signatures that the conditions have been met. He clarified that the headlight buffer was installed, the topsoil and building materials have been removed, rough grading was done, trees were planted, the site was cleaned up and seeded, and will be maintained by the Homeowners Association. Brian Long, Long Engineering, stated that the storm water retention design that was approved by DEQ has been constructed and inspected and certified by DEQ. Councilwoman Duford asked why they changed the pond design. Brian Long replied that the design was changed because of neighbors' concerns. Elsa Duford asked that they respond to the questions raised in Kathe Randle's letter. Mayor Marchello replied that the Council asked the developer to provide verification that all the conditions have been met before approving the final plat. Elsa Duford expressed her appreciation to Kathe Randle for her letter, which included a lot of background information that was very helpful to her in reviewing this agenda item. She asked what recourse Kathe Randle would have if the storm water system doesn't work and her property is affected. Marc Carstens replied that the Homeowner's Association would maintain the storm water runoff system and she could sue for damages. He is confident that the storm water design approved by DEQ deals with the potential liability in a scientific manner. He clarified that the developer is the responsible party and as the homes are sold the new owners become members of the Homeowner's Association and eventually take over the entire responsibility. Building Inspector Ron Melvin verified that all the conditions have been met by the developer. **Motion made by Councilman**

Sohm, seconded by Councilman Funke to approve the final plat for Vicwood Condominium. Kathe Randle asked if the mayor and council read her letter. She shares 330 feet of sloping boundary with the development and is concerned that the ditch provided for the runoff is not adequate and will cause damage to her property in the future. She questioned if the council acted in compliance with the Polson Development Code by considering final plat approval after the extension requested by the developer in December 2007 was denied. She expressed her concern about the timeliness of building the other units, the debris on the construction site, mowing not done, and the development's effect on the neighbors' property. She asked that council to take care of the concerns of the surrounding neighborhood. **Councilmen Funke, Lies, Sohm and Mayor Marchello voted in favor. Councilwoman Duford opposed. Councilman Jones abstained. Motion carried.**

LETTER OF SUPPORT FOR LAKE COUNTY PET CARE FREE CLINIC MAY 15 – 19 – MISSION VALLEY HUMANE SOCIETY - VICKI SCHEIDECKER: Vicki Scheidecker, representing the Mission Valley Animal Shelter, asked Council to provide a letter of support for the five day free clinic to be held in Lake County, three days in Ronan and two days in Elmo. A \$25,000 grant is being provided by Montana Spay/Neuter Task Force. In addition there will be donations from other local merchants and individuals providing goods, services and volunteering time to the project. She explained that although the grant will not be available in the future they intend to continue the annual clinic event and will be asking for support to provide this service to the community in years to come. **Motion made by Councilman Lies, seconded by Councilman Funke, to authorize the mayor to sign the letter of support from the City for the Lake County Pet Care Free Clinic to be held May 15 to 19. Motion carried unanimously.**

RESOLUTION #960 – ANNEXATION PETITION - 108 16TH AVENUE EAST - DALE & MARILYN BECKER: Jay Henry stated that the City staff recommends approval of Becker's annexation petition. Councilman Lies noted that this property is one of the few properties not annexed on 16th Avenue East. **Motion made by Councilman Lies, seconded by Councilman Sohm, to approve Resolution #960 annexing 108 16th Avenue East as petitioned by Dale & Marilyn Becker. Motion carried unanimously.**

FLATHEAD LAKE 3 ON 3 – STREET CLOSURE FROM FRIDAY, JULY 25, 5:00 P.M. TO SUNDAY, JULY 27, 7:00 P.M MAIN STREET & 3RD & 4TH AVENUE EAST & WEST FROM ALL ALLEYS TO MAIN STREET EXCEPT 3RD AVENUE WEST - RICH FORBIS: Jeff Smith, KERR Radio, asked council approval for the street closures required for the annual basketball event to be held with the same activities as last year. He confirmed that KERR Radio is sponsoring the event and will make a donation to pay the police department for the extra hours of police coverage needed for the event. He verified that proof of liability insurance coverage will be provided to the city prior to the event. **Motion made by Councilman Funke, seconded by Councilman Sohm, to approve the street closures as requested for the Flathead Lake 3 on 3 basketball event, from Friday, July 25, 5:00 p.m. to Sunday, July 27, 7:00 p.m. Main Street and 3rd and 4th Avenue East and West from all alleys to Main Street except 3rd Avenue West. Motion carried unanimously.**

IMPACT FEE REVIEW COMMITTEE RECOMMENDATION – KOA CAMPGROUND

PAUL & CARLISA LONDON: Carlisa London, asked Council if they had any questions regarding the Impact Fee Review Committee’s recommendation to reduce the impact fees for their 200 lot Polson Motorcoach and RV Resort development, as provided in the attachment. The assessed fees are based on a 9- month calendar year with a 6” water service and 8” sewer service. **Motion made by Councilman Lies, seconded by Councilman Funke to approve the Impact Fee Review Committee’s recommendations. Change #1, that the impact fee shall be assessed and payable at the same time the zoning conformance is processed and/or applied for in lieu of a building permit; and change #2 assessed impact fees for the project will be based on a 9 month calendar year with a 6” water service and 8” sewer service for the KOA Campground’s Polson Motorcoach and RV Resort as requested by Paul and Carlisa London. Motion carried unanimously.**

CITY MANAGER COMMENTS: City Manager Jay Henry welcomed Mayor Lou Marchello back. He thanked Council President Mike Lies for all his work during the mayor’s absence. He acknowledged that in the last few months, Building Inspector Ron Melvin has put forth extra effort doing work outside his department. He is attending this meeting which shows that he is dependable.

PUBLIC COMMENTS: Rory Horning referred to the Attorney General’s opinion volume 51-12 that states that work sessions are required to provide for public comment and he noticed that the agenda for the work session scheduled for May 6 did not include it. Mayor Marchello replied that they would conduct the meeting according to law.

Meeting adjourned at 7:40 p.m.

EXECUTIVE SESSION: The executive session was brought to order at 7:45 p.m. and was held on the subject of the golf course restaurant management agreement with WOPSQUAW, LLC, as requested by City Attorney James Raymond. Motion to take action was made by Councilman Lies, seconded by Councilman Funke, and the motion passed by a unanimous vote.

Meeting adjourned at 8:35 p.m.

Lou Marchello, Mayor

ATTEST: _____
Aggi G. Loeser, City Clerk