

# CITY OF POLSON COUNCIL MEETING AGENDA

Council Chambers

June 16, 2014

7:00 p.m.

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

**ABSENT:** Commissioner Morrison

**Others present (that voluntarily signed in):** Elsa Duford, Lita Fonda, Rory Horning, Rick LaPiano, Paul London, Bonnie Manicke, Polson Police Chief Wade Nash, Polson Water/Sewer Superintendent Tony Porrazzo, Andrew Speer, Diane Speer, Bill Wilkins, Coyote Land Company, LLC

**CALL TO ORDER** - Mayor Knutson called the meeting to order. The pledge of allegiance was recited.

**APPROVAL OF PROPOSED AGENDA-Commissioner Campbell motion to approve the proposed agenda with a typo correction-change to Plat instead of Palt. Commissioner Erickson second.**

**Commission Discussion: none Public Comment:** Elsa Duford-“I have a question, more or less, on the agenda that deals with the numbers 9 through 12. On the Resolutions and the Ordinances that are listed there and there’s no numbers listed for those Ordinances and Resolutions. I have never seen this happen before that they aren’t numbered when they’re brought to the Council. I’m wondering if that, to me it’s like it’s not complete. Wondering if the Council should post pone making any decisions on that or those four numbers should be removed from the agenda. I just wanted to bring it to your attention because I think when they have been brought to the Council, in the past; they came with a number whether it was an Ordinance or a Resolution. I think they should be on there when you are going to make a decision on them. Thank you.” City Manager Mark Shrives explained that in the past, if there is a number assigned before the action is taken, if the Resolution and/or Ordinance for some reason would not pass then it throws off the numbering system. Part of the codification that the City is doing is re-numbering. After we finalize the Ordinance and the Resolution, we will attach a number to it. We still have the action by title so we aren’t going to lose it. During the recodification we noticed that there are Ordinances and Resolutions out of sequence. Something didn’t pass, then you go looking for that number and you never find it because it never passed. That is why there were no assigned numbers. Once the number has been assigned, it will appear in the Minutes. Rory Horning-“I just would like to say if you are going to do this, the way you solve that problem is you put what the action is and you also put the number, and what the Resolution is even if it hasn’t passed. Because therefore what you are doing is, if an action is brought before this body for consideration but not passed it doesn’t exist in the public history. It should exist. It should have a number. It should say a certain subject was brought before you and the needs of the people was discussed and it didn’t pass. You just don’t ignore it. Then it is like it didn’t exist at all. That is not historically correct.” Mayor Knutson-“Thank you. Yes. And it will exist within the minutes by title. It just won’t have the Resolution number attached to it.” **VOTE: Unanimous Motion Carried**

**CONSENT AGENDA -Claims May 30, 2014 and Claims June 1-11, 2014-Commissioner Southerland motion to approve the Consent Agenda. Commissioner Campbell second.** Commission Discussion: Commissioner Southerland asked about a claim on 3B what is the \$35,000.00 payment for Police Dispatching. City Manager Shrives answered that is the City’s payment to the County for Dispatch. Public Comment: none. **VOTE: Unanimous Motion Carried**

**CITY MANAGER COMMENTS-City Manager Mark Shrives read a letter that was sent to the City Golf Pro Roger Wallace:**

  
**POLSON DOLLARS FOR SCHOLARS**  
May 26, 2014

Polson Bay Golf Course  
111 Bayview Drive  
Polson, MT 59860

Dear Roger and Cameron:

On behalf of the Polson Dollars for Scholars and Polson Bay Golf Club we would like to say **Thank You**, for providing us with the opportunity to co-sponsored the 2014 Lake City Open golf tournament held in Polson on May 3<sup>rd</sup>-4<sup>th</sup>. Because of you and your gracious support we managed to raise \$7,750 for Scholarship for Polson High School graduates. The tournament was a huge success and everyone seemed to enjoy themselves.

The first year, 2002, Polson Dollars for Scholars gave two scholarships. Each year the number of scholarships we provide has increased. This year we will be giving 23 scholarships for a total of \$32,500.

We raise money through various fund raising activities such as this golf tournament. Most scholarships that are sponsored by individuals, in memory of a loved one, range from \$250 to \$500. Polson Dollars for Scholars matches these scholarships so they range from \$500 to \$2,000. To date we have given 150 scholarships to Polson High graduates for a total of \$159,900

**All money donated goes to scholarships.**

This is possible because of the generosity of you and other community members. Thank you!

Sincerely,



Chris Strom,  
Secretary  
Polson Dollars for Scholars

 **POLSON  
DOLLARS for  
SCHOLARS**

Board of Directors

Paddy Trusler  
President

George Mahoney  
Vice President

Pat DeVries  
Treasurer

Chris Strom  
Secretary

Members:

Ken Avison  
JoAnn Bowers  
Bill Gregg  
Emily Johnson  
John Laimbeer  
Tracie McDonald  
John Mercer  
Jack Mitchell  
Denise Peterson

Chris Strom, Secretary  
P. O. Box 741  
Polson, Mt. 59860-0741  
stromchris2@gmail.com  
406-883-4526

After reading the letter, City Manager Mark Shrives then asked Polson Police Chief Wade Nash to address the Council. Chief Nash shared with the Council a few of the things that have been going on in the Police Department with the Drug Task Force. Approximately 9 or 10 months ago, Tim Lake asked Chief Nash if there would be a need for a grant from Northwest Farm Credit Services. Chief Nash wrote the grant request and last week the Polson Police Department was awarded the \$2,000.00 grant. The monies will be used by the Drug Task Force to educate the youth in the communities about the importance of drugs and how it affects young children and families. The Drug Task Force is currently sitting on 100 felony cases from 2013 and the DTF is starting to see some of the benefits come back. Last week the DTF seized a vehicle and was awarded \$5,566.00 cash, and also there was a 2011 Dodge Charger seized. The blue book on this vehicle is around \$16,000.00. That is a total of approximately \$21,000.00 that the DTF got back. The money will be distributed among the three agencies assigned to the DTF (Lake County, Tribal Police, City of Polson) this was the agreement from the beginning of the agencies. This money will go directly into the Drug Task Force. The Civilian Assistant was recently hired on as a full-time Patrol Officer. Hazeez was hired to replace an officer that resigned from the Police Department two months ago. In an effort to make the Police Department more efficient, and better service to the community, the position of Civilian Assistant/Animal Control Officer is being converted to a full-time Patrol Officer. All officers will be handling the Animal Control calls, traffic calls, and all other calls that come in to the dispatch center. By doing this, there will be a savings to the department. The call load is increasing and the summer is getting busier, so this will be a good addition for the department. Commissioner Campbell asked Wade if there will be an advertisement for the position. Wade answered that the advertisements for the position would be published in the local papers this week. The cut-off will be the end of July. It will be a lengthy process. Commissioner Erickson asked how much it cost to do the screening for a new hire. Chief Nash answered that the psychological evaluation alone cost \$690.00. It is a large investment that is why the department takes the time to hire quality people.

**LAKE COUNTY CONSERVATION DISTRICT, REPORT ON ACTIVITIES**-presented by Jim Simpson. This is a report on the activities of the Lake County Conservation District. The district is made up of 7 supervisors: 5 are elected and 2 are appointed, 1 by Ronan and 1 by Polson. This year the district hosted a 4<sup>th</sup> grade Ag Days. The event was hosted at the Polson Fairgrounds. It is a great opportunity for the children to get established in understanding the agricultural resources that the County has and hopefully to influence them in the future to think about the resources as they become voters. This September the district will be hosting a Governor's Range tour. There should be approximately 150 people in attendance. This is a joint effort between Natural Conservation Resource Services (a Federal group) and the Conservation District. In October there will be Conservation Area 5 meeting with 50-60 people in attendance. This will be prior to the State meeting in Fairmont Hot Springs. Currently the Conservation District has been working on a study for the past 2-3 years. The study is called the Swan Resource Management Study. Mr. Simpson distributed the following pamphlet on the subject:

## REASON FOR STUDY

Concern about the gradual degradation of water quality in our county lakes is being voiced by the Yellow Bay Biological Station, CSKT biologists and others. Money to stabilize degradation is not, and has not been, consistently available although this concern has been present for decades.

The Study began with the realization that the management of federal forest lands has changed in the last 30 years. This change has resulted in a buildup of forest fuels on non-wilderness federal forest lands in Lake County.

When these forests burn, the wildfire has the potential of being so hot that forest soils could be damaged, a short but potentially damaging erosion event could occur, and water quality would be impaired.

The Lake County Conservation District believes that the above concerns, if addressed through proactive management, could turn into an opportunity benefiting our local environment as well as our local economy.



Fires Usually Caused by Nature Itself.

swanforestinitiative.org

## DEVELOPEMENT OF STUDY

To date, the Study has investigated various ways of promoting active management of the lands in question. The current model includes the following key aspects:

- An approximate 95,000 acre Conservation Forest could be created, almost entirely, in the Swan River drainage. Congress would assign management authority of the lands to the Lake County Conservation District.

- Assignment of Management authority would not be permanent. The current thought is that 100 years, or approximately one generation of mature trees, will be required to achieve LCDD's objectives.

- Forest management services would be provided by Montana Department of Natural Resources and Conservation foresters.

- The Conservation forest would be managed



Water Quality Suffers Greatly After Fires.

aged using the same State of Montana laws, rules and regulations that are applied to Montana State forest lands.

- Proactive management would emphasize the reduction of forest fuels and the harvest and sale of forest products.

- Proactive management would include managing all aspects of the resource, not just fuels and forests.

- Fuel reduction costs and forest management services would be paid for with revenue derived from the sale of harvested forest products.

- After all operating costs have been paid, the remaining revenue would be used to do conservation work throughout Lake County.

*"If You Take Care of Your Natural Resources, Your Natural Resources Will Take Care of You."*

## EXAMPLES OF CONSERVATION WORK

### Agriculture Related Projects:

- Fund ground water monitoring systems.
- Support the improvement of irrigation water delivery systems.
- Support the improvement of fertilizer delivery systems.
- Fund stream channel protection projects.
- Fund noxious weed control efforts.
- Demonstrate new pasture management systems.

### Non-Agriculture Projects:

- Replace old septic tanks and drain fields.
- Support the upgrade of central wastewater treatment plants.
- Control dust erosion on dirt roads.
- Fund culvert and bridge improvements



Forest Recovering from Recent Fire.

swanforestinitiative.org

## CONSERVATION DISTRICT'S RATIONALE

The Montana State Legislature passed Conservation District enabling legislation in 1939. The legislation, in part, directs Conservation Districts to "to provide for the conservation of soil. . . preserve natural resources, control floods, . . . preserve wildlife, protect the tax base, protect public lands, and protect and promote the health, safety and general welfare of the people of this State."

The Lake County Conservation District takes very seriously its role as conservators of the natural resources of Lake County, as mandated by the State Legislature. If thoughtfully considered action can help to conserve and develop our natural resources, while at the same time providing revenue to further benefit existing and prospective programs throughout Lake County, it would seem imperative on the LCDD to at least investigate such action. This is the sole purpose of the Swan Resource Management Study.

## SWAN RESOURCE MANAGEMENT STUDY



US HWY 93 SOUTH  
 RONAN OFFICE: 406-676-2841 EXT. 102  
 STUDY CONSULTANT: DENNIS DEVRIS  
 406-450-1978  
 ddpolson@yahoo.com

Mr. Simpson ended his presentation by asking the public to go to the website [swanforestinitiative.org](http://swanforestinitiative.org) and complete the survey. This will help to determine if the study should continue.

**APPROVE BILL WILKINS 3-YEAR TIME EXTENSION REQUEST ON SD07-06 SOUTHERN SLOPE PRELIMINARY SUBDIVISION** -Thomas Fleming, Assistant Planner presented this agenda item to Council. This item is straight forward. Mr. Wilkins submitted a letter requesting a time extension on his subdivision. There have been two previous time extensions granted by Council. The Planning staff is recommending that this be given to Mr. Wilkins. Commissioner Campbell asked for the reason for the extension since there was no letter this time. Thomas stated that Mr. Wilkins had written a letter stating that there is an extreme over supply of lots and the real estate market remains weak.

**Commissioner Campbell motion to grant Mr. Wilkins a 3-year time extension for Preliminary Subdivision Permit #SD07-06, a 49 lot subdivision known as Southern Slope, to expire October 1, 2017. Commissioner Siler second.** Commission Discussion: none Public Comment: none

**VOTE: Unanimous Motion carried**

**APPROVE CARSTENS SURVEY, REPRESENTING COYOTE LAND, IN A “CHANGE OF USE FROM PARKLAND TO SINGLE FAMILY RESIDENTIAL” TO BE LEGALLY KNOWN AS “AMENDED LOT 1 OF THE “PARKLAND” OF “WESTANA HOMESITES”.**-Eric Mulcahy-Contracted City Planner presented the agenda. City Manager Mark Shrives introduced Mr. Mulcahy to the Council. Mr. Mulcahy is filling in until City Planner Joyce Weaver returns. This is a rare 1-lot subdivision. This lot was created as an open space area. This is a very steep lot, and this property was set aside as an open space lot for the subdivision. However, the tax allotment for this particular lot was not split out, the taxes went delinquent on this lot, and went to the County. The County sold the lot. It is a tract owned by an individual. However, it does have an open space designation on the plat. The lot cannot be developed unless that wording is lifted by the City Commission. The statutory criteria in the City Code for a tract size is 7,000 sq. feet. This tract is 1.02 acres and easily complies with minimum lot size. The property is very steep and so one of the conditions is a geo-technical analysis for the development. This condition needs to be carried on the face of the new plat. So that when someone actually builds, a geo-tech report would be required so that the foundation and the storm-water review can all be looked at cohesively so that those issues can be addressed. Then the Building Inspector would be able to enforce those conditions with the construction. As far as the analysis of the Findings of Fact, there is very little impact to the agriculture, etc. It is an in-fill tract. All of the infrastructure is in place. Water and Sewer is in the streets. Staff is recommending approval. There are 21 Conditions of Approval. The conditions are standard with the exception of Condition #7 which addresses the Geo-Technical report being required prior to the building permit. That would be written on the face of the plat. Commissioner Siler commented that the Council were not given a complete package. The Staff Report was not included. (NOTE: Commission took a few minutes to review the entire Staff Report) **Commissioner Siler motion to approve the filing of the plat legally referenced as, “Amended lot 1 of the “Parkland” of “Westana Homesites”.** Commissioner Turner second. Commission Discussion: none Public Comment: none **VOTE: Unanimous Motion carried**

**APPROVE PRELIMINARY PLAT FOR THE RE-SUBDIVISION OF LOT 1 OF THE AMENDED PALT OF PORTIONS OF LOT 2 & 3 OF BOETTCHER TRACTS ALONG WITH THE FINDINGS OF FACT AND CONDITIONS IN THE ATTACHED STAFF REPORT.**-Eric Mulcahy-Contracted City Planner presented agenda item. This property is located on the east side of 11<sup>th</sup> Street East, in the City of Polson. It is 1.44 acres in size. Lot 1-A will be 1.5 acres and Lot 1-B will be .93 acres both exceed the minimum lot size for the Medium Density Zoning District(MRZD). There is currently one house located on the rear lot of this subdivision with a number of outbuildings. The front lot is vacant. This is currently creating a new one lot. This is viewed as a minor subdivision. There is a

condition that there would be no protest for a Special Improvement District (SID) for sidewalk in the future. There is an analysis and finding of fact in the Staff Report. One of the conditions is that an amended plat be filed prior to the final plat being approved. There are a total of 18 Conditions of Approval. There are two non-standard Conditions of Approval; the Certificate of Survey be approved prior to final and the waive of right-to-protest a Special Improvement District. Mayor Knutson questioned the boundary line that would need to be approved. Mr. Mulcahy answered that it is part of this. Commissioner Erickson questioned who would review the storm water management plan. Mr. Mulcahy answered that the State of Montana there is a review for every subdivision. For water, sewer, and storm drainage that gets reviewed by the City Public Works person, who then prepares an exclusion letter that gets sent to the Montana Department of Environmental Quality (DEQ). Then a certificate has to be given and filed with the final plat. On a small development, a small storm water swale is created. The swale is approximately 8" deep by 20'x10'. **Commissioner Turner motion to approve the Preliminary Plat for the Re-Subdivision of Lot 1 of the "Amended Plat of Portions of lot 2&3 of Boettcher Tracts" along with the findings of fact, and conditions in the attached staff report. Commissioner Campbell second.** Commission Discussion: Commissioner Erickson asked Water/Sewer Superintendent Tony Porrazzo if he had any questions about this item. Tony replied no. Public Comment: none **VOTE: Unanimous Motion carried**

#### **APPROVE FIRST READING OF ORDINANCE TO ALLOW GOLF CARTS ON STREETS**

**WITHIN THE CITY OF POLSON**-City Manager Mark Shrives presented this agenda item. This is a subject matter that the Golf Board has discussed how to create a golf cart area around the golf course. After a conversation with the City Attorney Rich Gebhardt, Golf Pro Roger Wallace, and Police Chief Wade Nash, this Ordinance was written. The Ordinance will create the golf cart area. Section 10.12.080 designates the golf cart streets which is created by the Resolution that follows this Ordinance. Police Chief Wade Nash commented on the history of how this came about. Two years there was an accident between an individual on a bicycle and a golf cart on Bayview Drive. The bicyclist was hit by a person driving a golf cart. There were substantial injuries suffered by the bicyclist as a result of this accident. Shortly after that, Wade received a telephone call from an attorney asking if there were any regulations concerning a golf cart on City streets. Technically there is not an Ordinance that prohibits golf carts on City streets. However, a citizen may apply for a slow moving vehicle permit from the State of Montana. This would permit a golf cart on City streets as long as they do not cross a highway with a speed that exceeds 35 MPH. That limits the Police department access. After researching the subject, the City of Polson could adopt an Ordinance as long as the City Commission approved the Ordinance. The issue that Wade had is the position of the Golf Club House. No matter which direction a person travels with a golf cart, State Law is being violated. This puts the department in a situation that has always been allowed. Chief Nash wants to get away from that practice. By doing this, it allows the department to follow the laws and regulate this concern. There can be regulations put in place that are enforceable which will benefit the safety of the operator and the liability of the City. The last three months there have been several meetings with the Police Chief, City Attorney, Golf Pro, and City Manager creating this Ordinance. This is a positive thing, and the Police Chief commented that he could support this Ordinance. Mayor Knutson clarified that this is just to allow the golf carts to be used in the designated area. If the carts are to be used outside that area, the owner would need to obtain a Slow Moving Vehicle permit issued by the State. Mayor Knutson asked Chief Nash if he was happy with the regulations and enforceability outlined in the Ordinance. Chief Nash commented that yes he was happy with the Ordinance. Commissioner Southerland asked if there were any way to attach the names of the streets to the map. City Manager Shrives commented that he has a list of the streets and those could be attached to the Resolution. When the motion is made, just include the list of streets to be included with the map. Mayor Knutson further commented that signage is being created to inform drivers as they are entering the area. Commissioner Erickson asked if there were any liability. Chief Nash stated that by law there is no liability insurance required for a motorcycle so he didn't see how any liability insurance could be required

for a golf cart. Commissioner Erickson asked if it would be covered under Home Owners. Chief Nash replied that in the last incident Home Owners would not cover it. Commissioner Erickson then commented that the City would not be held liable. City Manager Shrives answered that is correct. Commissioner Campbell asked about brake lights. Chief Nash answered that some golf carts do. Under the Montana Slow Moving Vehicle permit, headlights and brake lights are required, mirrors, and horns too. City Manager Shrives stated that in the future the City will collect the names and addresses of individuals who rent the carts as well as private cart owners. There will be an educational period to this Ordinance. Golf Pro Roger Wallace told Mayor Knutson that information about this subject would be distributed to anyone who signs up for golf carts. **Commissioner Turner motion to approve Ordinance to allow golf carts on streets within the City of Polson. Commissioner Siler second.** Commission Discussion: none Public Comment: none **VOTE: Unanimous Motion carried**

**APPROVE RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POLSON ESTABLISHING A GOLF CART SAFE AREA.**-City Manager Mark Shrives presented to the Commission the Resolution that would define the Golf Cart area. There should be a correction to the title. It should read Golf Cart Area with the word safe removed. Same discussion as the Ordinance but with the amendment to the motion to Golf Cart Area. Both the map and the list of streets will be attached to the Resolution. Mayor Knutson made the correction to amend the Resolution in two areas; where it reads Golf Cart Safe Area it will be changed to Golf Cart Area. **Commissioner Turner motion to approve the Resolution of the City Commission of the City of Polson establishing a Golf Cart Area as amended. Commissioner Erickson second.** Commission Discussion: none Public Comment: none **VOTE: Unanimous Motion carried**

**APPROVE FIRST READING OF ORDINANCE TO AMEND THE CITY OF POLSON'S ASSESSMENT OF WATER CHARGES**-City Manager Mark Shrives addressed both agenda item numbers 11 & 12. These both go together. This is the first reading of this Ordinance and Resolution of Intent. In order to restructure the water rates, and then the requirement to look at changing the rates we have to put something out as far as an initial start of the process. This would start the process, put the information out to the public as to what was given from the consultant and then there will be a public hearing on July 7<sup>th</sup>. At that hearing, the engineer will be present, along with Finance Officer Cindy Dooley to present the timeline and how all the requirements for funding fit the timeline. Also, there will be a cash analysis of the money we currently have. Originally there was a discussion of putting this out in increments; however, the consultant has indicated that we need to increase the rates immediately. So, we took that recommendations, but you are not locked into anything. We are just getting the process started. July 7<sup>th</sup> that presentation will occur. At that time you will have to make the decision of how to do the rates. There will be a lot more information at that meeting prior to having to make that decision. Mayor Knutson clarified that the City is taking the exact recommendation of the Consultant and putting that out there initially to get things rolling. City Manager Shrives answered yes, that is correct. There will be a second reading of this Ordinance. Once the rates are actually changed, there will be a Resolution that will state the actual rate change. This has been reviewed by the City Attorney and the Bond Council. As this moves forward, the City will need to take out a loan. Mayor Knutson asked if there would have to be a new first reading if this Ordinance is amended after the public hearing at the second reading. City Manager Mark Shrives answered that no, it would not restart the process. **Commissioner Southerland motion to approve the first reading of the Ordinance to amend the City of Polson's assessment of water charges. Commissioner Erickson second.** Commission Discussion: Commissioner Southerland asked about the water charge. Does this include the sewage too? Mayor Knutson answered that this is water only. Public Comment: Elsa Duford asked if the public would have access to these reports before the public hearing at City Hall if someone is interested in seeing how this is planned out. City Manager Mark Shrives answered that the Consultant report is already on the City website and it will also be available at City Hall. The Ordinances will be a City Hall as well. The timeline and other information

will also be available. Elsa Duford then asked if it would be put into such a form that it would be easily readable by the average public or will it be very technical? It makes a difference. City Manager Mark Shrives answered that the Consultant's report is 90 pages. Some parts are technical but it does talk through how he got to his conclusions. The Ordinances explain the changes that are being proposed and the engineer report shouldn't be that technical because it will be looking at the timeline of all that we have to do with the project. **VOTE: Unanimous Motion carried**

**APPROVE RESOLUTION TO RESTRUCTURE THE WATER SYSTEM RATES AND PROVIDE FOR A CHANGE IN THE WATER AND SEWER RATES AND TO CALL FOR A PUBLIC HEARING ON THE PROPOSED RATE CHANGES.**-Mayor Knutson asked if there were a motion. **Commissioner Siler motion to approve the Resolution of Intent to restructure the Water System rates and provide for a change in the Water and Sewer rates and to call for a Public Hearing on the proposed rate changes. Commissioner Turner second.** Commission Discussion: none Public Comment: none  
**VOTE: Unanimous Motion carried**

**APPROVE THE POLSON REDEVELOPMENT AGENCY TO SECURE BIDS ON PAVING THE REMAINING GRAVEL AREA IN SALISH POINT** -Ken Avison, Chairman of PRA. Mr. Avison began the presentation by inviting everyone to the ribbon cutting ceremony on Sunday, June 29<sup>th</sup> at 1:00 p.m. This will be at the Pierpath Walkway and the new City Dock at Salish Point Park. The Polson Development Agency is asking to be allowed to go out for bids to pave the area directly in front of the City dock area, the area that is currently graveled. Mayor Knutson commented that the funds were already available for this project. Mr. Avison commented that once the bid was secured then he would come back before Council to get approval to accept the bid and move forward. City Manager Mark Shrives commented that City Engineer Shari Johnson would do the design specs for the project. Then the project would be put out for bid. As normal, then it would be brought back for Commission approval. Commissioner Erickson asked if that would include soil analysis. City Manager Shrives answered whatever the City Engineer returned. **Commissioner Campbell motion to allow the Polson Redevelopment Agency to solicit bids on a paving project at Salish Point. Commissioner Southerland second.** Commission Discussion: none Public Comment: Lee Manicke-"If any individual or contractor, developer wanted to do this the first thing is they would be referred to the Planning Board or at least the Building Department for a building permit. There's some things that need to be done. The Urban Renewal statutes require, that state that, urban renewal project plans need to go the Planning Board. When the City Dock and Walking Path was done, the former City Attorney gave an opinion that that wasn't required. That opinion sited two State statutes that do not exist. It also sited another State statute that was repealed sometime in the past, 2009. He made some statements that were contrary to the State statutes. He made some other statements that he couldn't find any place in the statutes that required it go to the Planning Board when there is a direct statement that project plans will go to the Planning Board. There were so many flaws and errors in that opinion that it's flawed and should carry no weight. It was also brought up at that time that there's a City Ordinance, I don't remember the number that requires Lake Shore Development as it meets the Lakeshore Water Management Plan. It refers to a State statute that requires that that also go to the Planning Board. That was not done for the City Dock and the walkway. That should be done. I don't know how you could authorize to go out for bid until you have a design and a set of plans and specs. What's the area? What's the size of the area? The present Development Code requires and impervious surface of 20,000 sq. feet to have a run-off management plan. I think State Ordinances also require that, the EPA. The new Development Code goes down. They ask for any development, any impervious area over 5,000 sq. feet area have a run-off management plan. The Ordinance for Lakeshore Protection requires a run-off management plan. Also, there's a requirement for vegetated buffering along the lakeshore and if you had a design you would know whether or not that was needed. I don't think this is ready for an opinion to go out for bid at this time. I think the first thing you need to do is do your design work and get the plans and specs. The question was brought up what would there be soil test. There's comments that, I don't know if that's on sawdust. I don't know if it is or not. I

don't know if anybody knows. Is it on clay? Mayor Knutson-"I'm sorry to interrupt Lee but you've reached your time limit but please take 30 seconds to finish up." Lee Manicke-"Mr. Avison was not timed. I would appreciate the same courtesy. Mayor Knutson-"Yes, but he was presenting on the matter. It is a public." Lee Manicke-"why is that different if someone bringing up things that need to be done." Mayor Knutson-"Please if you could finish up in 30 seconds I would appreciate it." City Manager Mark Shrives commented that based on the comments if you could **amend your motion to review the requirements and the City Engineer would design it prior to going out to bid.** City Manager Shrives commented that he had noted what Mr. Manicke had mentioned and he will confirm those with the City Attorney and the City Engineer. There were good points that need to be checked into. Mayor Knutson agreed. She stated that she had jotted them down too. **Commissioner Campbell amended his motion to cover what City Manager Shrives had stated as far as waiting until the design is done on this and check on whether or not it needs to go to the Planning Department for buffer zones and such things.** We will wait for the design and then go out for bid. Commissioner Erickson commented that he thought the City Engineer would be aware of all these things. City Manager Shrives further clarified that there were a couple of comments that Mr. Manicke made that were City Attorney opinions and those need to be reviewed. Make sure we do the right process. Ken Avison commented that he has all the confidence in the new City Manager and City Attorney that the right thing will be done and the issues will be looked in to. Commissioner Campbell asked if there were a tight time frame. Mr. Avison commented that the PRA was hoping to have this done by the ribbon cutting on June 29<sup>th</sup>. **Commissioner Southerland second the amended motion. VOTE: Unanimous Motion carried**

**PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (address items to the Chair. Commission takes no action on items discussed)**

**Lee Manicke**-"I really think that this Commission needs to reconsider that 3 minute rule. For someone to get up and say the Street Department did a good job on the snow plow, that only takes a minute. But to interrupt somebody, some projects and some things have a multiple faceted items and it is going to take a long time to bring those things up and bring the history up to that. You are just not being fair to people. I know there are some reasons for doing that. People have gotten a little obnoxious but to interrupt you just breaks the chain of thought. You can't go on with this at times. Some people have gotten up here have done the City a real good favor by standing up here and talking to them. That's all the intent was tonight is to do this right and it wasn't presented as being done right. To be interrupted with this is just not the right thing to do. You as a Commission had better go back and think if that is what you really want to do. Because you are not serving the public. We pay the taxes. We are your constituents. We're the property owners. We have as much right to have an opinion over 3 minutes as somebody that writes their name on the agenda. Do we have to wait for 2 or 3 weeks to respond to somebody and get our name on the agenda? That's just not right. You'd better put this on your next agenda and see if that's what you really want to do. To be serving the public and the people that are paying the taxes."

**Penny Jarecki**-"I just wanted to inform you, or share with you that the little park that is at the east end of Ducharme Park has been maintained for several years by volunteers. It is getting a whole new look. Those improvements are paid for by a directed gift to the Greater Polson Community Foundation from one of our donors who wanted to honor a friend of his who passed. So he gave us, he asked if I had any ideas of what would be a nice tribute to the memory of his friend. Since some of those plants were dying and they'd been there for years and years and years, I suggested that we do a re-design. I have been working with Karen Sargeant, of course, getting her approval on all. The old lava rock has been taken away. The old weed mat has been taken away. That has been replaced and DeLaney's was there today putting in the new plants."

I'm excited and I hope that the City is pleased." Commissioner Campbell commented that it looks wonderful.

Lita Fonda-"The Polson Development Code revisions, as you know, will be going to the City/County Planning Board to start the process with them soon. There has been talk of getting those meetings put on the Water bills and also on the City website. I just hope those things haven't been forgotten and that those things are still in process. It would be nice to have it on the Water bill someplace where people look a little more often than in the legal notices. It would be nice to have the text as a whole on the website where people could look at it easily. Since it is a fairly lengthy document. So, I hope those things are in progress and will appear soon. Just speaking, I rather like having a time limit. Having attended a lot of City Council meetings I think that it's been helpful. So I'll say that too. Thank you."

**Mayor Knutson asked for a motion to adjourn. Commissioner Campbell motioned to adjourn. Commissioner Southerland second. Vote: Unanimous Motion carried**

**ADJOURN 8:22 p.m.**

**Mayor Knutson**

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Mayor Knutson

ATTEST:

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Cora E. Pritt, City Clerk