

**POLSON CITY COMMISSION MEETING MINUTES  
CITY HALL – CITY COMMISSION CHAMBERS  
MONDAY, AUGUST 20, 2012, 7:00 PM**

**ATTENDANCE:** City Commissioners: Todd Erickson, John Campbell, Stephen Turner, Mike Lies, Dan Morrison, Fred Funke and Mayor Pat DeVries presiding. City Manager Todd Crossett and City Clerk Cindy Dooley present. Others present (that signed in): Penny Jarecki, and Diane Speer. City Attorney James Raymond absent.

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

**APPROVAL OF PROPOSED AGENDA:** Commissioner Lies moved to accept the proposed agenda, seconded by Commissioner Funke. Commission discussion: None. Public discussion: None. **Motion carried unanimously.**

**CONSENT AGENDA:**

**A. ADDITIONAL JUNE CLAIMS**

**B. AUGUST 1 – 16 CLAIMS**

Commissioner Funke moved to approve the consent agenda, seconded by Commissioner Campbell. Commission discussion: None. Public discussion: None. **Motion carried unanimously.**

**COMMISSION MEETING MINUTES AUGUST 6, 2012:** Commissioner Lies moved to approve the City Commission meeting minutes of August 6, 2012, seconded by Commissioner Erickson. Commission discussion: None. Public discussion: None. **Motion carried unanimously.**

**CITY MANAGER COMMENTS:** The West Garceau Fire which started last Monday was approximately 30% contained as of this evening. This fire is in the Irvine Flats area. City Manager Crossett said that at one point crews were facing a possible evacuation of the Jette Lake and Big Arm area but that danger is over. Our volunteer crew and Chief Fairchild have been on the fire. If the fire season gets worse Chief Fairchild may raise the fire alert level in town which would involve curtailing open pit fires, and barbecues. There is also another fire that has started in the Perma area near Dixon.

The Triathlon went very well with about 140 participants. There was a great deal of help and participation from the Street Department, County Road Department, City Police Department, Sheriff's Department, Parks Department and Search & Rescue. The Smokin' On the Water event at KwaTaqNuk that same afternoon apparently had their best year yet and hopefully benefited from the Triathlon. They are looking forward to next year's Triathlon which is tentatively scheduled for August 17, 2013. Our own local triathlete, Matt Seeley, almost won the event.

The Street Department is currently striping the streets and patching while the weather is good.

The PDC (Polson Development Code) re-write committee will meet on Wednesday, August 8<sup>th</sup> at 1:00 pm. This committee is meeting twice a month on Wednesdays and is making good progress towards preparing a document.

The Polson Heart & Soul project has formed their CAT (Community Advisory Team) with volunteers from many backgrounds and lots of experience. The plan is to begin hosting neighborhood events this

fall. The project coordinators will be contacting the Commissioners for their help in organizing these neighborhood get-togethers.

Bids have been opened for the tank coating project at the Hillcrest Reservoir. The bid came in at approximately \$230,000. This was higher than the estimate as a result of finding lead in the paint on the outside of the tank. Commissioner Campbell remarked that this was more than it originally cost to construct the tank. This tank is an older tank and not the same one that leaked as a result of work performed by a subcontractor of Sandry Construction. On that tank, Sandry stood by their contract and made it right, probably losing a great deal of money on the project.

Commissioner Campbell commented that he was impressed that the Street Department got the school zone crosswalks all painted prior to the opening of school on the 27<sup>th</sup>.

City Manager Crossett commented that City Clerk Dooley has been working hard on getting the audits caught up. The City will be current by the end of this fiscal year on the audits. The auditor is currently at the City offices working on the FY11 audit and that is going well.

Mayor DeVries reminded everyone that the Public Hearing for the budget will be August 27<sup>th</sup> at 7:00 pm.

City Manager Crossett said that he and Commissioners Campbell and Erickson had gotten together to look over a warranty issue on Main and 4<sup>th</sup> Avenue where the Cottage business is located. Mortar is coming loose on rockwork done there by the Main St. Project. Commissioner Campbell said that he and Commissioner Erickson had spent additional time looking over the various options and looking for less expensive options. City Manager Crossett is working with the City Engineer on pulling together warranty issues and will setup the meeting with the downtown businesses.

City Manager Crossett said he has been visiting with downtown business owners and there is a sense of increased activity downtown despite the fact that several businesses have closed.

City Manager Crossett said the Cruisin' By the Bay car show was a good event for the City, but there were several hiccups including the agreement to clean up after the car show. There was a trash receptacle that was not emptied in front of the CSKT Natural Resources Building on Main Street. City Manager Crossett explained that the City has an agreement with the special event coordinator to do their own cleanup following their event. The car show folks emptied their trash receptacles but did not empty the City's receptacle near the Natural Resources Building. A CSKT spokesperson called the City and Mayor on Monday morning to ask why the receptacle was not emptied and if they should take some kind of message from this. City Manager Crossett explained to the spokesperson that this was simply an oversight on the car show's part. He explained that the City does not employ extra crews to do trash cleanup after an event as this is the event's responsibility. City Manager Crossett said that he and Parks Superintendent Karen Sargeant spent a couple of days getting this sorted out with the various parties involved. The President of the Mission Valley Cruisers personally talked with tribal officials, explaining to them that it was just an oversight and helped to get this resolved. City Manager Crossett said he appreciated this and said he has received several messages from the tribe saying that they were pleased with how this turned out and that it was not what they thought it was. The City is also looking at a backup plan for cleanup in case the event committee fails to clean up. There was also an issue with a food vendor in Riverside Park that our contracted vendor was not aware of that was selling product similar to hers. This also "ruffled some feathers" and City Manager Crossett and Parks Superintendent Crossett will be meeting with the parties to resolve this issue. Mayor DeVries said the concerts in

Riverside Park went well. Commissioner Campbell said to be sure to go over the trash cleanup when they fill out the event form next year. City Manager Crossett said one of the problems this year was that the event form was completed in March which is great because we encourage event coordinators to work with the City early, but then too much time passed which created a lack of communication.

The Skyline project is ongoing. There is a problem with drivers trying to go up the road. There is plenty of signage saying that traffic is not allowed going up the road – only down the road except for emergency vehicles. There is currently a problem with traffic trying to go south of town from Claffey Drive. Those living on JB Drive can go south towards Missoula on Skyline from their street, but this is not possible from Claffey Drive. People are currently using undeveloped City right-of-way between Claffey and JB Drive to get onto JB Drive and go south. City Manager Crossett has talked with Street Superintendent Terry Gembala about smoothing out the right-of-way to make it easier to drive on. Eventually this right-of-way will be used to create a walking path. The mailboxes have been moved to the City Shop and there is some discussion about whether they will be moved back during the winter months but nothing has been decided at this point.

## NEW BUSINESS

**REPORT OF 2012 GRANTS GIVEN TO LOCAL NONPROFIT ORGANIZATIONS BY THE GPCF:** Greater Polson Community Foundation (GPCF) President Penny Jarecki reported on the recent activities of the GPCF. On August 17<sup>th</sup> the Foundation held its annual “Passion for Polson” fundraising event. This year’s theme was “Celebrating our Inland Paradise” which had a Hawaiian décor and dinner. It was a very successful event with 137 people in attendance and a total of \$60,000 raised. One of the basic goals of a community foundation is to provide a permanent endowment where the principle remains intact and the interest earnings are used for the purposes of the endowment. The GPCF’s footprint follows the boundaries of High School District 23 when awarding grants to area non-profit agencies which includes a southern boundary of the area north of Pablo, and a northern boundary about half-way up the Lake on the West and East shores. The grants awarded include: the Dayton-Proctor Association which was awarded \$500 to help put in a water system in a park where they are planting new trees; Cheerful Heart cancer support group was awarded \$1,500 to start a new program for skin care and massage therapy for cancer patients; the Flathead Lakers received a grant for \$2,500 for an education program on the plant and insect invaders of Flathead Lake; a newly formed non-profit FLICF (Flathead Lake International Cinema Fest) which is making plans to hold a film festival in February 2013 was awarded a grant. This fits within the goals of GPCF to try and help Polson’s economy and a winter event would help offset all of the summer activity that boosts the economy. The fifth recipient is the North Lake County Library District which is borrowing an idea from the Seattle library. The library will be setting up reading nooks in various locations where people have to wait such as doctor offices, car repair shops and coffee shops. The library will make books available in these reading nooks where patrons can start reading a book and then take the book with them. There will also be rocking chairs in the nooks. Instead of having the annual book fair, donated books will be placed in these nooks. Polson Loaves and Fish has a difficult time providing quality protein to their patrons as most donations are carbohydrate based. A grant of \$2,000 has been awarded to purchase high quality protein products to supplement the other food that is given out. The final recipient was Mission Valley Aquatics which was awarded a \$3,500 grant to help finish the pool. President Jarecki said that \$15,000 was given this year and all together a total of \$50,000 has been returned to the community since the GPCF was founded in 2007. According to the Director of the Montana Community Foundation, compared to another community of similar size located in an oil rich area of eastern Montana which started a community foundation in mid-2008 (which has \$20,000 in their endowment), the GPCF is doing very well with nearly \$200,000 in their endowment. President

Jarecki said this is a reflection of how well the GPCF has been received in the community and commended the board of trustees for their efforts. The board includes Liz Marchi, Jules Clavadetscher, Bill Olson, George Barce, John Mercer, Jarrod Shew, Darlis Smith and John Cowan. Mayor DeVries thanked President Jarecki for her presentation and the work that she does and further commented that the community is fortunate to have her and the GPCF.

**APPROVAL OF JULES CLAVADETSCHER TO THE PARK BOARD:** City Manager Crossett presented this agenda item in Park Superintendent Sargeant's absence as she was working on the West Garceau fire. City Manager Crossett stated that the Commission knows Jules Clavadetscher well and that he has served on numerous boards and has been Mayor of the City. **Commissioner Morrison said that he would be a good addition to the Park Board and made a motion to approve his appointment to the Park Board, seconded by Commissioner Turner.** Commission discussion: None. Public discussion: Elsa Duford asked if the position had been advertised. Mayor DeVries and City Manager Crossett said that it had been advertised some time ago with slow response. There were several vacancies and only one of the vacancies was filled several months ago and Park Superintendent Sargeant has continued to look for someone to fill the other vacancy. **Motion carried unanimously.**

#### **PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA:**

Diane Speer commented that she submitted a request for public information, had not yet received the information she wanted and would like the Commission to make a statement that the Montana Open Records Law will be followed by the Commission. City Manager Crossett stated that City Clerk Dooley had responded back to Mr. Speer in response to her request and that it appeared that his wife wanted the Orton Partnership Agreement contract which she should have already had. Mr. Speer clarified that she wanted e-mail and other documents and correspondence between the City Manager, the Orton Foundation and the Greater Polson Community Foundation when the partnership was being formed. City Manager Crossett said it took some time to put those documents together and it is now available. Diane Speer commented the information communicated to Mr. Speer had not reached her. City Manager Crossett added that the packet of information had been compiled and was ready to be picked up. She said that she did not understand why staff had not understood what she wanted. Mayor DeVries said that the Commission is required to follow the Open Records Law and would do so.

Andrew Speer said he also requested information. He said on July 30<sup>th</sup> he made the first request and then followed up a week later with his second request. His current request is for information that was contained in an article in the Valley Journal which stated that City Manager Crossett had talked to each Commissioner prior to the City Commission meeting about whether or not to put City Attorney Raymond's contract on the agenda. Mr. Speer would like to know what each Commissioner's decision was. City Manager Crossett said that request has also been answered. He said there is no document that is available for this request and that the Commissioners could opt to speak for themselves. Mr. Speer then clarified that City Manager Crossett did not have anything available for him to look at, and City Manager Crossett said that is correct. Mr. Speer said he would like to know how each of the Commissioners "voted". Mayor DeVries said that City Attorney Raymond was not available to comment on this, but it was not an actual vote. She said that she had stated that City Manager Crossett had visited with each of the Commission members, which he is entitled to do, and that there were not four people that wanted it placed on the agenda. She told Mr. Speer that she personally had wanted it placed on the agenda and advertised. She further said that the other Commissioners could speak for themselves if they chose to. City Manager Crossett said there was no vote required, however if there was an instruction to place on the agenda a vote to terminate the contract it would have been on the agenda. Andrew Speer said he

disagreed with the rationale as he views it as a matter of record regarding the renewal of a contract and the public should know what each Commissioner decided. Mayor DeVries said she has tried to explain to the public, to the best of her ability, what happened and that she has been assured that it was done properly and correctly. Andrew Speer said he would appreciate talking to any of the Commissioners that would be willing to speak with him following the meeting.

**The meeting adjourned at 7:42 p.m.**

---

**Mayor Pat DeVries**

---

**Attest: Cindy Dooley, City Clerk**