

**POLSON CITY COUNCIL MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
MONDAY, OCTOBER 15, 2007, 6:30 P.M.**

ATTENDANCE: Bruce Agrella, Tom Jones, Mike Lies, Tom Corse, Fred Funke, Mayor Jules Clavadetscher presiding. City Manager Jay Henry present. Mark MacDonald and City Attorney James Raymond absent. **Others present:** Lou Marchello, Elsa Duford, Bonnie Manicke, Bryan Long, Sophie Seegers, Dan Jury, Kathy Korf, Dennis Anderson, Bill Wilkins, Margery Fox, Monte Garnet, Doug Chase, Linda Sappington, Margie Hendricks, Rory Horning, Steve Jensen, Tony Porrazzo, Melva Stirm, Dale Engstrom.

PUBLIC HEARING - INTENT TO CREATE A SPECIAL IMPROVEMENT LIGHTING DISTRICT – RESOLUTION #951 –ISLAND VIEW DRIVE – There were no proponent comments. There were no opponent comments.

The public hearing adjourned at 6:31 p.m.

Pledge of Allegiance and meeting brought to order at 7:00 p.m.

APPROVAL OF PROPOSED AGENDA: Mike Lies motioned to approve the agenda as proposed. Fred Funke seconded the motion. The motion passed unanimously.

CONSENT AGENDA

- A. CITY COUNCIL MEETING MINUTES OF OCTOBER 1, 2007
- B. POLICE TRAINING – MONTANA LAW ENFORCEMENT AGENCY LEGAL, LEGISLATIVE, AND CIVIL UPDATE – SERGEANTS BOOTH, COTTLE, & NASH – KALISPELL, MT
- C. CONFIRM PATROLMAN BILL BARRON TO RANK OF PATROL OFFICER

Tom Corse motioned to approve the consent agenda, seconded by Bruce Agrella. The motion passed unanimously.

IMPACT FEE REVIEW COMMITTEE – INCLUDING JAY HENRY – RECOMMENDATION TO COUNCIL WHETHER TO ESTABLISH A CONTINUING ROLE FOR AN IMPACT FEE ADVISORY COMMITTEE: Mike Lies informed the Council that the Impact Fee Review Committee had come to the consensus that the Advisory Committee was no longer needed. Mike Lies motioned to accept the Impact Fee Review Committee’s recommendation to no longer have an Impact Fee Advisory Committee. Bruce Agrella seconded the motion. The motion passed unanimously.

REQUEST FOR SINGLE PARKING SPACE TO BE DESIGNATED AS HANDICAPPED OUTSIDE OF 220 1ST STREET E ACUPUNCTURE CLINIC: Monte Garnett requested the parking spot on the northwest corner of 3rd Ave and 1st Street E be designated as handicapped. He explained that the particular spot would provide good access and it would work with how the streets are snowplowed. He noted that there were no other handicapped spots in the area, and the Police Chief and Fire Chief both approved of the proposed space. Fred Funke motioned to approve the request for a single parking space to be designated as handicapped outside of 220 1st Street E acupuncture clinic. Bruce Agrella seconded the motion. The motion passed unanimously.

REQUEST COUNCIL TO APPROVE EXTENSION OF MISSION VALLEY FRIENDS OF THE ARTS LEASE ON JOHN DOWDALL THEATER TO 2040 AND ALLOW FOR REMODELING OF FERTILIZER STORAGE SHED: Dennis Anderson appealed to the Council to extend the lease of the John Dowdall Theater. He explained that the Friends of the Arts had received grants to repair the roof and supply donations from Western Building Center. Mayor Clavadetscher added that there were also plans to remodel the fertilizer storage shed to be used for concessions for the Port Polson Players at night and to serve as restrooms for golfers during the day. He informed the Council Roger Wallace approved of the remodeling. Tom Corse inquired if the shed was included in the original lease, and felt that it should be if it was not. Dennis Anderson expressed

agreement with Councilman Corse and explained that it had never been clarified in the original lease. **Tom Jones** asked if the City had considered in the past a 99-year lease as opposed to the shorter terms. **Mayor Clavadetscher** replied that the City wanted to see how the relationship with the theater moved forward before encumbering the City with a long-term commitment. **Tom Corse moved to extend the Mission Valley Friends of the Arts' lease for the John Dowdall Theater to 2040, modified to include the fertilizer shed. Mike Lies seconded the motion. The motion passed unanimously.**

RESOLUTION #952 – CREATION OF A SPECIAL IMPROVEMENT LIGHT DISTRICT ON ISLAND VIEW DRIVE: Fred Funke motioned to approve Resolution #952 – creation of a special improvement light district on Island View Drive, seconded by Tom Jones. Rory Horning suggested the City consider dark sky friendly lighting improvements for all parts of the City. The motion passed unanimously.

PRELIMINARY PLAT APPROVAL OF JENSEN/WILKINS – 2 ADJACENT MAJOR SUBDIVISIONS TOTALING 99 LOTS: JENSEN'S SKY VIEW; AND WILKINS' SOUTHERN SLOPE SUBDIVISION: Joyce Weaver presented to the Council the area annexed into the City and planned for 99 single family lots in LRZD. She pointed out there were 2 accesses, one off of Mission View and one off of Skyline, and there was also the potential for a third access to Skyline. She noted the subdivision would be hooked up to City water and sewer at the owner's expense. She expressed that the City County Planning Board had unanimously recommended approving the subdivision with some conditions. She explained the conditions were cul-de-sac roads would not access more than 15 lots or units, there shall be a 8' wide pedestrian/bike path and an approved storm drain system, low profile street lighting at street and path intersections, traffic report recommendations, the applicants shall include correspondence with Lake County including its comments in relation to the project, and also the developer would contract with Lake County to update the enhanced 911 database. She pointed out that the parkland agreement of 3+ acres east of Sky View lot 44 was still being worked out with the Park Superintendent. **Tom Jones** asked if there were potential for more lots to be developed in the area, what would be done with Skyline Drive. **Mayor Clavadetscher** explained the City is working with the County to improve the road. He pointed out that it was currently a County Road. **Joyce Weaver** noted that the developer was required to go through the County in regards to Skyline. **Tom Corse motioned to approve the preliminary plat approval of Jensen/Wilkins 2 adjacent major subdivisions totaling 99 lots, with conditions. Bruce Agrella seconded the motion. Margery Fox** asked with additional subdivisions, what assurances did other city residents have that there would be adequate water since the City was already rationing. She also asked about the City's policies regarding green space. **Mayor Clavadetscher** directed her to meet with Joyce Weaver in regards to subdivision questions and to meet with Tony Porrazzo in regards to water and sewer questions.

Margie Hendricks expressed concerns over suitable, sustainable water supply with the current city water configuration. She stated that the 2005 Anderson-Montgomery water report was flawed. She warned that it did not include leaky infrastructure or summer watering and felt the report should be disregarded. She commented that some wells' actual capacity was overstated in the report, especially during peak demand. She opined that wells were barely meeting capacity. She stipulated wells 6 & 7 were hydraulically linked together from a limited yield. She further stated that the two wells could not be used simultaneously. She questioned the City's implications of using the mill site wells since they would cost \$1.7 million for a treatment plant before they would be usable, without knowing if they can be depended on. She expressed that Polson's water system was barely meeting demand with normal usage while it lagged in the summer. She stipulated that no further subdivisions should be approved of without solving the City's water problems. **Dale Engstrom** expressed his agreement with Margie Hendricks comments. He observed that Jensen/Wilkins subdivision was well designed, but felt that the City should not approve it without a better water supply. He commented that the wells across the river were not meeting expectations. He noted that he lived on Mission View Drive and pointed out that on Mission View Drive there was a very dangerous intersection, especially in the winter. He cautioned that increased traffic would cause more problems and felt that access should be limited. **The motion passed unanimously.**

PRELIMINARY PLAT APPROVAL OF JURY SUBDIVISION, 3 LOTS, IN LRZD: Joyce Weaver pointed out the location of the 3 lots on a dead end street accessed from 2nd Street E within City Limits. She noted there was no alley, the average slope was less than 4%, and there was a 60' right of way that had been approved of by the Fire Chief. She informed the Council that City County Planning Board had voted unanimously to approve the

minor subdivision with condition. She noted that the conditions were that the applicants will pave that section of 2nd Street E to City standards with cul-de-sac, a streetlight at the end of the cul-de-sac, a runoff management, drainage & grading plan, and a 5' wide sidewalk with curbs and gutters. She pointed out that these were all to be approved by the City Engineer prior to groundbreaking. **Tom Corse motioned to approve the preliminary plat of the Jury subdivision with conditions. Fred Funke seconded the motion. Dan Jury** mentioned to the Council, that the streetlight was part of safety issues, but it was not listed in the CCPB packet. **The motion passed unanimously.**

SEPTEMBER 2007 CASH REPORT: **Bonnie Manicke** informed the Council that the September report was normal, with an end balance of \$4,559,702.44. She advised that they were waiting for the infusion of real estate taxes in the next month and they would likely be seen in December. **Mike Lies motioned to approve the September 2007 cash report. Bruce Agrella seconded the motion. The motion passed unanimously.**

RESOLUTION #953 – ASSESSMENTS LEVIED FY '07-'08: **Bonnie Manicke** informed the Council that Resolution #953 was to levy and assess SIDs. She advised that SID 38 (Lake Hills Estates)- sanitary sewer was \$3,495.84, SID 39 (Hillside Court) – road surfacing was \$2,949.32, street light maintenance 19 was \$4,779.82, street light maintenance 20 was \$2,908.12, noxious weed control maintenance was \$1,565.00, and sidewalk, curb, and gutter improvements were at \$1,916.66. She noted that the total assessments levied were \$17,614.76. **Mayor Clavadetscher** asked if the homeowners who had not taken care of their own noxious weeds were notified of their violation and the ensuing charges. **Bonnie Manicke** replied that the fire department had send out notification letters prior to any actions. **Mike Lies motioned to approve of Resolution #953 – assessments levied FY '07-'08. Fred Funke seconded the motion. The motion passed unanimously.**

PUBLIC FUNDS INVESTMENT BIDS: **Bonnie Manicke** advised the Council that the last certificate had matured at \$625,000 and was cashed. She informed the Council that a new one had been purchased at 1st Citizens Bank for a term of 273 days at 5.19% APY in the amount of \$675,000. She noted that it would mature on June 30, 2008. She also reported that the other bids were 4.76% APY at Glacier Bank and 4.43% at 1st Interstate Bank. **Mike Lies moved to accept the public funds investment bid from 1st Citizens bank at 5.19% APY. Fred Funke seconded the motion. The motion passed unanimously.**

CITY MANAGER COMMENTS: **There were no City Manager Comments.**

PUBLIC COMMENTS:

Steve Jensen thanked the Council and the City Manager for their time and work. He expressed that they would try and build something the City will be proud of.

Bill Wilkins also expressed gratitude to the City Council and staff.

Elsa Duford stipulated that if the City has an adequate water supply the water restrictions of Ordinance 575 should be repealed.

Joyce Weaver noted that in accordance with State law she had provided the action minutes of the last City Planning Board to keep the Council informed of the Board's activity. Mayor Clavadetscher asked her to be sure the minutes were available to the public.

The meeting adjourned at 7:55 p.m.

Mayor Jules Clavadetscher

Assistant City Clerk Kala Parker