

**POLSON CITY COMMISSION MEETING MINUTES
CITY HALL – CITY COMMISSION CHAMBERS
MONDAY DECEMBER 3, 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, City Attorney James Raymond, City Treasurer Bonnie Manicke, City Clerk Cindy Dooley, Police Chief Wade Nash, Water and Sewer Superintendent Tony Porrazzo, Parks Superintendent Karen Sargeant, and Street Superintendent Terry Gembala present. Others present (that signed in): Rory Horning, Elsa Duford, Gordon Zimmerman, Dennis Anderson, Dennis Duty, Paul London, Ali Bronsdon, Mike Brandt, Ric Smith, Brian Wilson, Brittany Wilson, Agnes Rhinehart, Ken Siler, Irene Marchello, Lou Marchello, Liz Marchi, Heather Knutson, Cheryl Wolfe and Robin Wallace.

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

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

CONSENT AGENDA:

A. NOVEMBER 13 - 28 CLAIMS

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

COMMISSION MEETING MINUTES NOVEMBER 19, 2012: Commissioner Lies moved to approve the City Commission meeting minutes of November 19, 2012, seconded by Commissioner Funke. Commission discussion: None. Public discussion: None. Commissioners Erickson, Campbell, Lies, Morrison and Funke voted aye. Commissioner Turner abstained. Motion carried.

CITY MANAGER COMMENTS: City Manager Crossett welcomed the new building inspector Mike Howke. He said that Mike Howke has been working part-time for the past couple of weeks and will continue to do so for the next couple of weeks due to previous commitments but he would start full-time by the middle of December. He is working with the interim building inspection team to transition outstanding projects to his office after a busy summer of building. Mr. Howke is from Whitefish and has been a building inspector for about 10 years. Commissioner Turner took part in reviewing the resumes. City Manager Crossett said Mike Howke is well credentialed and has a lot of experience and will be a good fit for the City of Polson.

The Heart and Soul project will have a Neighborhood Gathering at Mission Bay on Wednesday, December 5th. On Sunday December 9th there will be a Neighborhood Gathering for residents across the bridge in Ward 1 at the Polson Rural Fire Station that will be facilitated by City Manager Crossett. He encouraged everyone to attend their Neighborhood Gathering or attend several in the area.

The City is continuing to work with the County and Polson Fairgrounds, Inc. (PFI) on the boat launch issue. The County recently renewed PFI's contract to manage the fairgrounds but the boat launch issue is still open. City Manager Crossett is hopeful that a solution can be reached that benefits everyone involved.

The Polson Redevelopment Agency (PRA) project to put a path under the bridge was presented to the Shoreline Protection Agency. It was approved unanimously and enthusiastically supported. It still needs to be presented to the City Commission and approved before it can start. City Manager Crossett has been in communication with Bob Murdo, the bond attorney, to look at a Tax Increment Financing bond. City Manager Crossett discussed a graduated contract with Mr. Murdo that would provide for the research services first and then would escalate if the project moves forward. Bob Murdo is preparing a proposal for the City.

City Manager Crossett acknowledged police officer Juan Maso who was awarded the Marine Corp Law Enforcement Officer of the Year award. Members of the police department staff have won this award several times in recent years. A round of applause followed.

City Manager Crossett is working with the County Commissioners on plans and funding for the Caffery trail which was originally part of the Skyline project. It would connect at Caffrey Road and go out to highway 93 and connect with the existing trail system. There is also discussion about putting a trail at the top of Grenier Lane at the top of the Kerr Dam trail that would go behind the high school and then connect to the Skyline trail. There is existing right-of-way where the trail could be built. City Manager Crossett said that there might be a joint application between the CSKT, the County and the City to apply for Community Transportation Enhancement program (CTEP) funding for the trail project. The CTEP funding has not been eliminated as was previously thought – now entities must apply with a project in order to receive funding instead of being allotted money each year that can then be drawn on.

City Manager Crossett attended a seminar sponsored by DOVES (Lake County Domestic Violence Education and Services) recently in Pablo. The speaker was Jackson Katz who is internationally known as a speaker on male violence and whose work City Manager Crossett was familiar with through a series of updated videos produced by Mr. Katz entitled “Tough Guise” which explore the escalation of male violence in our society. He said he was very impressed with his talk. Some of his work can be accessed through You Tube. City Manager Crossett commended and thanked DOVES for sponsoring this seminar.

NEW BUSINESS

APPOINT JIM SIMPSON AS THE CITY OF POLSON’S REPRESENTATIVE ON THE LAKE COUNTY CONSERVATION DISTRICT BOARD OF SUPERVISORS: Mayor DeVries said that this position was held by Commissioner Campbell who will be stepping down from that position on December 31st. Jim Simpson is already on the Board as Ronan’s representative. But since he now lives in the City of Polson he can’t be Ronan’s representative but would like to continue to serve. Mayor DeVries said that he is currently the chairman of the board. Commissioner Campbell recommended Jim Simpson for the position. **Commissioner Campbell moved to appoint Jim Simpson as the City of Polson’s representative on the Lake County Conservation District Board of Supervisors starting January 1, 2013 for a three year term, seconded by Commissioner Turner.** Commission discussion: None. Public discussion: None. **Motion carried unanimously.**

RE-APPOINT BRUCE AGRELLA AS THE CITY OF POLSON’S REPRESENTATIVE ON THE LAKE COUNTY SOLID WASTE MANAGEMENT DISTRICT BOARD OF DIRECTORS: Mayor DeVries said that the Lake County Solid Waste District had sent a letter asking the City to either re-appoint Mr. Agrella or find a new representative. Mayor DeVries spoke with Bruce Agrella who said he would like to continue serving on the board. **Commissioner Lies moved to re-appoint Bruce Agrella as the City of Polson’s representative on the Lake County Solid Waste Management District Board of Directors**

starting January 1, 2013 for a three year term, seconded by Commissioner Funke. Commission discussion: None. Public discussion: None. **Motion carried unanimously.**

SECOND READING – ORDINANCE NO. 663 – AN ORDINANCE ADOPTING FLOODPLAIN HAZARD MANAGEMENT REGULATIONS WITHIN THE CITY OF POLSON: Commissioner Lies said that he read through this Ordinance and it is similar to the one that was previously on the books so he recommended approving it. **Commissioner Lies moved to approve Ordinance 663, seconded by Commissioner Campbell.** Commission discussion: City Manager Crossett pointed out that the County is also working on a similar ordinance and they are dealing with much more floodplain area. The County should have a draft coming out soon, but the City needed to approve the Ordinance by tonight so that it can be reviewed by the State DNRC Floodplain program and by FEMA in a timely manner. City Manager Crossett recommended that the City review the County's Ordinance and make sure that our Ordinance does not have any conflicts with their Ordinance. If there are conflicts the Ordinance can be amended at a later date. Commissioner Erickson asked and City Manager Crossett responded that Building and Planning Official Joyce Weaver is the City's administrator for flood plain issues. Public discussion: None. **Commissioners Erickson, Campbell, Turner, Lies, Morrison and Funke voted aye. Motion carried unanimously.**

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

Mayor DeVries explained that there would be public comment on matters not on the agenda and that the public could also speak about agenda item #11 – vote on the renewal of the City Manager's contract if they did not want to wait until after the executive session to comment during the agenda item. Mayor DeVries asked City Manager Crossett if he wished to have the executive session closed, which he did. Mayor DeVries said the evaluation in the executive session would normally take about one hour. She cautioned speakers not to be overly negative by going into explicit details if they were speaking in opposition. She said that she cannot control what is said but felt excessive negativity was not warranted. Ric Smith asked for clarification on when and how the public will be notified that the executive session is finished. Ric Smith asked how the agenda was put together causing a break in the public's participation. Mayor DeVries said that due to travel by the City Manager and the unavailability of Commissioners Turner and Funke the Commission was unable to schedule the City Manager's evaluation until this evening. She said that the City Manager's contract specifies that he must be notified by December 15th regarding renewal of the contract; that is before the Commission's next meeting, so to avoid a special meeting the vote was placed on this evening's agenda. Mayor DeVries said that when the doors are re-opened, that will indicate that the executive session is over. Diane Speers asked for clarification on positive comments and whether they should be limited. Mayor DeVries said the Commission generally wanted to know whether a speaker was in favor of or opposed to the renewal of the contract. Mayor DeVries also reminded the audience that they have three minutes to make their comments.

Lou Marchello said that the City voted to have a City Manager form of government. He said there was difficulty in the last process of searching out and hiring a City Manager and he feels that the last several years with Todd Crossett as City Manager have been very positive. He feels that City Manager Crossett is a good person for the job.

Karen Sargeant, Parks Superintendent provided the Council with a copy of the Mission Statement for the City of Polson. She said that not very many people know that this is in existence. It was formulated over several meetings with the commission, staff and the public with City Manager Crossett as the facilitator. She said that it is important that the City has a Mission Statement; it is something she has wanted since

starting work for the City. She further commented that a mission statement should guide the actions or inactions of the City, spell out its overall goals and provide a pathway to those goals and most importantly guide decision making. A mission statement provides the core purposes, identifies the daily operations and strategic decisions for the city team. She commented that the city team includes the City Manager, department heads, support staff, advisory boards and the Commission. She said the city team needs to proceed in accordance with the Mission Statement. She feels that the problems in the City are directly related to the entire team's unfamiliarity with the Mission Statement and that three-fourths of the staff does not know it exists. Parks Superintendent Sargeant expressed qualities she sees for a good manager including being able to recognize what motivates people on an individual basis. She said it takes years to develop this recognition and knowledge. She said that City Manager Crossett has recognized that ownership of as many decisions as possible that affect City operations will motivate team members. She said that this is dynamic - situations change including changing commissioners, employees, economics and priorities. She said that being an efficient manager includes decision making based on all available and multi-faceted information. Parks Superintendent Sargeant said that a good manager knows there are two sides to every issue and gets all team members involved in the decision making process. She said that City Manager Crossett has had to look at the direction of the Commission as a whole and had to mesh that with the priorities and directions of the staff and their professional knowledge and look at how to implement the goals. She said he has done this through regular staff meetings and council workshops. Parks Superintendent Sargeant said that City Manager Crossett understands the department heads' strengths and weaknesses and provides opportunities for attending training sessions to improve skills where needed. She said that he also encourages the department heads to look for training opportunities for their staff. She concluded by saying that we need to look at positive things that have happened in the community.

Water and Sewer Superintendent Porrazzo said that based on the comments by Parks Superintendent Sargeant is the reason he equivocally opposes the position.

Ric Smith said that he has lived in Polson for almost three decades and said there are more positive good things happening in the community recently. He said that this can't all be attributed to the Commission or the City Manager but City Manager Crossett plays a key role. He said that many of the challenges between the City Commission and the City Manager are the result of making this change in the form of government and that we are still in the learning curve. He said that perhaps some of the Commission members do not agree that City Manager Crossett should stay and he asked them to consider that when you have employees they need to have regular, fair and consistent reviews that help them know what they are doing right and what they need to do better. He feels that this has not happened. He mentioned a city council meeting that had a lot of public comment where the Commission asked City Manager Crossett to take care of several tasks, but City Manager Crossett was going to be involved with the ground breaking on the Skyline project and said he could not take care of everything and asked what he should do. Ric Smith said that City Manager Crossett was not given any specific direction by the Commission. Ric Smith said that in his business he comes in with a plan for the day but things can go awry and he has to figure out pretty quickly what to do. Ric Smith encouraged the Commission to look at the job and figure out how to have consistent, fair and regular evaluations. He understands that everyone has areas they can improve on and he hopes the Commission will support City Manager Crossett.

Mayor DeVries said that she had not mentioned that if you comment now during the public comment section on the City Manager contract renewal that you cannot also speak again during the regular agenda item.

Paul London said that the 2012 Leadership award that City Manager Crossett received at the Chamber Banquet speaks volumes. He said that the Polson business community sees City Manager Crossett as a strong leader and good representative of the City. He said there are many positive things in the City and it is important for the City to agree to move ahead and not take unnecessary steps backwards. Paul London said that the City has made a good investment in City Manager Crossett and he would not like to lose him. He asked the Commission to consider the time and money involved in hiring a new City Manager. He said it would take at least a year for someone to get a feel for the community. Paul London said that City Manager Crossett is well beyond that stage and we can't find a replacement with as much knowledge and dedication. He said that many people may not be aware that City Manager Crossett is the face of Polson for the business community. He attends meetings that start at 7:00 am and meetings that start at 7:00 pm and is truly involved in those meetings and not just there as part of his job. Paul London said that City Manager Crossett is able to see both sides of an issue and reach a compromise to move forward in a positive way. He said that he has no knowledge of how City Manager Crossett interacts with or is perceived by his staff. He feels that it is imperative that employees receive regular reviews that provide steps for implementing any improvements that are necessary. He asked the Commission to look at City Manager Crossett's overall job performance and weigh his strengths and weaknesses. He said that it is the Commission's responsibility to offer tools and guidelines to overcome any weaknesses. He said that the Commission will save time and money this way instead of being in a constant hiring and training mode. He said it is important to monitor and communicate to the City Manager about how the goals are progressing. Paul London said that one thing that has impressed him about City Manager Crossett is his ability to stay positive in spite of ongoing challenges which benefits our community.

Heather Knutson said she echoed the comments made by Paul London. She said she has had peripheral experience with City Manager Crossett over the last several years but could speak about several specific occasions when she has been in meetings with him. He has always represented the City in a very positive and professional manner. She said that one situation could have been very contentious and she was amazed at his management style and the discussion that kept everything positive. She said that City Manager Crossett is a very positive influence for our community. The other occasion was the Triathlon, where City Manager Crossett was very supportive of starting this event and which she feels will become a significant event for our community and she thanked him for his help on that.

Liz Marchi said she has been in Polson about 5 years. She said "the proof is in the pudding" and she looks at what has been accomplished during that time and what City Manager Crossett has helped do including paving 7th Avenue and having sidewalks, the Streetscape on Main Street, walking paths along the parks, boat slips that are open to the public, and the Heart & Soul project. She said that it is not easy to move forward but there is no other choice – things never stay the same. She wholeheartedly supports City Manager Crossett and said he is an asset to this City. She has enjoyed working with him on a number of venues.

Dennis Anderson said he supports City Manager Crossett. He offered what he considers an unusual analogy in that the City Manager's job and relationship with the Commission is akin to a marriage or business partnership. He posed the question of when do you work on issues, or throw in the towel or turn the page and start all over. He said it is a tough decision to make. He asked the Commission to consider where the City will be if a decision is made one way vs. another way. He said that in his experience in relationships it is almost always better to work out the issues than start over.

Ali Bronsdon also spoke in support of City Manager Crossett. She has worked with him when she was at the Lake County Leader and said that he is a good communicator. She said that he makes city government accessible to everyone including young people. She said she would like to see City Manager Crossett stay on to be a part of everything that is happening in Polson.

Brian Wilson said that he and his wife moved to Polson about a year ago. Polson is the smallest town they have lived in and they had some concerns about this. They have been so pleased as the community has been great to them. He said he has gotten great enthusiasm for being in Polson from Envision Polson!, the pool auction, the triathlon, the 4th of July parade and the recent Christmas parade and that City Manager Crossett has been a key part of those events. He feels that without City Manager Crossett, Polson would not be as good a place as it is and they would probably not be nearly as happy with their choice to live in Polson. He concluded by saying that he supports the re-appointment of City Manager Crossett.

Mayor DeVries closed the public meeting at 7:35 pm.

It was discussed with the public prior to going into Executive Session that the Commission would reopen the public session in one hour.

Executive Session on City Manager Evaluation and Contract Renewal: Mayor DeVries brought the executive session to order. The City Manager six month evaluation was conducted with the Commission, City Attorney and City Manager present. **Mayor DeVries re-opened the meeting at 8:40 pm.**

NEW BUSINESS (CONTINUED)

VOTE ON RENEWAL OF CITY MANAGER'S CONTRACT: Commissioner Morrison moved to renew the City Manager's contract, seconded by Commissioner Erickson. City Attorney Raymond clarified that this vote is an intention to renew the contract – it is not actually renewing the contract. Mayor DeVries responded that it is her understanding that if the contract is to be renewed the council does not need to take any action but if it is not to be renewed then the Commission must give notice to City Manager Crossett. City Attorney Raymond said that was correct. City Attorney Raymond asked for the motion again and Mayor DeVries said that the motion is the intent to renew the contract and is being done even though the Commission does not have to do it. Commission discussion: None. Public discussion: Dennis Duty spoke in favor of renewing City Manager Crossett's contract. He is on the Development Code re-write committee and the committee has spent the last couple of years on the re-write where he has worked with City Manager Crossett. He said he would not like to see the re-write put on the back burner again as the City is in dire need of getting this straightened out and corrected. He said that everyone has room for improvement and communicating those things to City Manager Crossett would be important. He hoped that the Commission would keep City Manager Crossett on.

Police Chief Nash said he was appointed as Police Chief in December of 2011 and was not sure what to expect in the position, but he has seen his way thorough it with the partnership of the department heads and employees. He has attended many hours of leadership training and he said that communication is the key to success. He said that we are all very busy with our lives and our dedication to the community

but if you don't have a line of communication you have a line of failure. He said that having open lines of communication will make positive things happen for the departments and the community. Police Chief Nash said that he wasn't sure what he was going to say this evening, but looking back at the experiences he has had this past year which have been fun, challenging and at times stressful there are key things that he is reminded of: The City has been under budget and provided more to the community in involvement of events than has happened in the past. He said that not renewing City Manager Crossett's contract makes no sense to him. He said that if there are problems that he is not aware of, City Manager Crossett should be given the opportunity to fix them. He supports renewal of City Manager Crossett's contract. Gordon Zimmerman spoke in favor of retaining City Manager Crossett. He thanked the Commission for the job they are doing and pointed out that Polson was acknowledged as the number one place for business in the State of Montana in a recent study. He said that has a lot to do with the Commission and with City Manager Crossett's efforts in the community. He feels that Polson is moving in the right direction and he would hate to see a step backwards. He said many young energetic professionals are moving to Polson. He said City Manager Crossett is involved in so many activities and is seen in the public at many weekend events. He asked the Commission to consider retaining City Manager Crossett as he feels he is a great asset to the community. Juan Maso, Polson police detective said that he works over the weekends on Friday, Saturday and Sunday. He says on many weekends he has seen City Manager Crossett working in his office putting in many hours and he wanted to share that with the Commission. He says it shows motivation and that he cares. Terry Gembala, Street Supervisor said that when City Manager Crossett hired him, he let him "go with it" as he had not had supervisor experience. Street Superintendent Gembala said that City Manager Crossett has given him and his staff many opportunities for more education and more involvement in the community. He said that there have been many positive things provided by City Manager Crossett and he hoped the Commission would vote to retain him.

Commissioners Morrison, Turner and Erickson voted aye. Commissioners Funke, Lies and Campbell voted nay. Mayor DeVries voted nay. Motion failed.

Mayor DeVries asked City Attorney Raymond if the Commission needed to proceed with another motion. City Attorney Raymond said there was a motion and it was voted on. Mayor DeVries asked if this is the same as a notification and City Attorney Raymond said he would take care of that based on the Commission's actions.

The meeting adjourned at 8:50 p.m.

Mayor Pat DeVries

Attest: Cindy Dooley, City Clerk

Attest: James Raymond, City Attorney