

**City of Bigfork**  
**Regular City Council Meeting**  
**February 13, 2020**  
**5:30 p.m.**

**Members Present:** Mayor Bryan Boone, Paul Gustafson, David Mann, and Andrew Francisco

**Members Absent:** Ben Maxa, and Junior Council Members Hannah Johnson and James Rauzi

**Also Present:** Joe Zimmer, Gary Erickson, Jim & Pam Lepinski, Bruce Gerth, Dan Meyer, McKenzie & Brady Thomas, Sally & Dean Sedgwick

Mayor Boone called the meeting to order at 5:30 p.m.

The Pledge of Allegiance was recited, and the public forum was opened. As no one wished to address the Council, the public forum was closed.

***Motion by Mann to approve the agenda, seconded by Gustafson, motion carried unanimously (MCU).***

***Consent Agenda: Motion by Mann seconded by Francisco and carried unanimously to approve the consent agenda including:***

- 1. minutes of the January 9, 2020 regular City Council meeting,***
- 2. City Clerk's office report for January 2020,***
- 3. financial report for January 2020,***
- 4. Public Works Department report for January 2019,***
- 5. payroll and timecards for January 8 (elected official extra meetings), January 10, 24, and February 7, 2020 regular payrolls in the amount of \$10,509.08***
- 6. claims paid in the amount of \$9,875.01 and claims for payment in the amount of \$60,590.87***

**UNFINISHED BUSINESS**

**Fryberger Memo – Scenic Estates:** In addition to the resolutions discussed at the last meeting and which are later on this agenda, Fryberger recommended that the City enter into an amended development agreement to reflect the current state of Scenic Estates development. ***Motion to direct the City Clerk to work with Fryberger to draft such an amendment by Gustafson, seconded by Mann, MCU.***

**Gary Erickson – Scenic Estates Development Concerns:** Mr. Erickson addressed the Council regarding the issues within Scenic Estates. He noted that the potential sale of the remaining undeveloped lots would make some of his planned comments unnecessary. He reviewed that he was unaware of the existence of the tax increment financing agreements and pending home owners association at the time he purchased his property. He stated that both the original and current developer, as well as the City have failed to follow many of the stipulations in the

agreements. He reminded the Council of his prior offer to go over the various documents to help everyone understand the issues.

Mayor Boone thanked Erickson for his comments and explained that the City's need to have an unbiased, legal opinion is why they hired counsel rather than taking him up on his offers of assistance.

**Resolution 2020-05 – TIF interfund loan:** Again, as directed at the last meeting, this resolution was drafted by Fryberger to set up an interfund loan for repayment of funds identified in Resolution 2020-06. ***Motion to approve resolution 2020-05 by Mann, seconded by Francisco, MCU.***

**Resolution 2020-06 – TIF amendment:** As directed at the last meeting, this resolution was drafted by Fryberger to remove parcels from the Scenic Estates Tax Increment Financing District that have been determined to be non-qualifying. ***Motion by Mann to approve Resolution 2020-06, seconded by Gustafson, MCU.***

**Review of Special Assessment Policy:** A resident at last month's public hearing suggested the City should have a uniform on how projects are paid for. There is a special assessment policy in place, however it did not apply to the Ash St/Rajala Mill Rd project because of the significant amount of grant funds received. This policy has been in place since 2004. Council was asked to review the policy and bring any comments to the March meeting.

**Review of Water Meter Regulations:** Another resident at last month's public hearing suggested that broken water meters are resulting in lost revenue. An effort was made over the summer of 2019 to fix non-functioning meters. The Public Works Department had concerns about the liability the City is open to if they remove insulation, heat tape, etc. in order to access a meter for repair or replacement. It was determined that the City Code of Ordinances will be amended to reflect that it is the account owner's responsibility to provide open access to the meter and to restore everything after the repair or replacement is made. There will also be a requirement that the account owner sign a waiver prior to the City performing the work. A monthly surcharge will apply if access to the meter is not provided in a timely manner. The City Clerk was directed to draft an ordinance amendment for consideration at the March meeting.

***Motion to adjourn by Mann at 6:06 p.m., seconded by Francisco, MCU.***

Angela L. Storlie  
City Clerk/Treasurer

Approved at the regular meeting held on  
March 12, 2020

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Mayor