

**City of Bigfork**  
**Regular City Council Meeting**  
**January 14, 2021**  
**5:30 p.m.**

**Members Present:** Mayor Bryan Boone, Paul Gustafson, David Mann and Drew Francisco  
Via Zoom: Ben Maxa

**Members Absent:** None

**Also Present:** Joe Zimmer  
Via Zoom: Sally Sedgewick, Tamara Lowney and Tim Johnson

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

The Clerk administered the Oath of Office to re-elected Mayor Bryan Boone and Council Members Paul Gustafson and Benjamin Maxa.

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.

Boone added Water Main Break to New Business. ***Motion by Mann to approve the agenda as amended, seconded by Gustafson motion carried unanimously (MCU).***

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

- 1. minutes of the December 10, 2020 regular and December 15, 2020 emergency City Council meetings,***
- 2. City Clerk's office report for December 2020,***
- 3. financial report for December 2020,***
- 4. Public Works Department report for December 2020,***
- 5. payroll and timecards for December 11 and 24, 2020 and January 8, 2021 regular payrolls, and December 15, 2020 annual payroll, in the amount of \$22,077.01***
- 6. claims paid in the amount of \$8,092.98 and claims for payment in the amount of \$84,923.36***
- 7. approval of submission of the 2020 Pay Equity Report as presented***

**Public Forum on Comprehensive Plan Update:** As no one was present to offer input, the public forum was closed.

**IEDC Update:** Tamara Lowney from IEDC provided an update on the eZip/Anderson Fabrics project. Due to a significant leadership change at Anderson Fabrics, there has been a pause on their expansion plans. The company is still very interested in the possibility of expansion to

Bigfork, however they are waiting until they hire new leadership to make this move. In the meantime, Lowney did not feel we could afford to sit back and wait and stated that IEDC would be utilizing their previously prepared recruitment materials to get back out there and look for another potential business to take over the space. Lowney noted that the manufacturing industry is experience higher growth right now than it was pre-pandemic so there is good reason to hope another business can be recruited if Anderson Fabrics doesn't not work out. She added that e2ip has extended their closure until the end of February or early March.

## **UNFINISHED BUSINESS**

**Engineering Update:** Joe Sutherland from Widseth provided a written memo with the timeline for the Ash Street/Rajala Mill Road Project. Bids with four alternates will be advertised starting January 26 with the bid opening scheduled for March 1.

Zimmer noted that he did not feel it was urgent to have work done on the water tower at this point. He feels we are 7 to 10 years away from needing to do this and he will consult with KGM, the company that performed the inspection two years ago, on their opinion on the timeline.

**Hwy 38 Property Bids:** No bids were received. Consensus was to drop the minimum bid to \$12,800 for another month.

**Administrative Policy Updates:** As requested, the Clerk presented policy language for consideration regarding investments, movie nights, and other various amendments to the Administrative Policies to reflect changes in operations since the last update. The investment policy section was removed for further editing. ***Motion by Francisco to adopt the remainder of the recommended policy amendments, seconded by Gustafson, MCU.***

## **OTHER/ANNOUNCEMENTS**

**Ordinance #194:** This ordinance sets the water and sewer rates at a 3% increase from the 2020 rates as discussed during the budget process. This results in an average monthly increase to residential user's bills of \$1.63. ***Motion to approve Ordinance #194 by Mann, seconded by Gustafson, MCU.***

**Resolution 2021-01:** This Resolution sets the appointments for 2021. Boone noted that City Attorney John Dimich has requested that the City appoint Jesse Powell of Powell Law as joint City Attorney with him in preparation for his eventual retirement as well as for assistance with the backlog due to COVID-19. ***Motion to adopt Resolution 2021-01 by Boone, seconded by Mann, MCU.***

**Water Main Break:** Drew Francisco stepped down from his Council seat for this discussion due to conflict of interest.

Boone reviewed that there was a water main break which resulted in damage to Francisco's property. The water backed up into Francisco's garage and ran into his basement via an egress window. There is a large amount of dirt left in both buildings that washed in with the water. The City's insurance company will not cover these damages due to the fact that it was not caused by any negligence on the City's part. Francisco's home owner's insurance has also denied the claim for

damages. As this was not his fault, Francisco requested that the City consider paying for the cleanup and replacement of certain items that were ruined including a dryer, chest freezer and air conditioning unit. The cost estimate for cleanup from ServiceMaster is between \$2k-\$4k and a dumpster to dispose of the ruined items will cost about \$1,000. Estimated costs of replacement of the appliances is \$499 for the dryer, \$229 for the chest freezer and \$369 for the air conditioner. Francisco noted that they also lost clothing, baby items, a toolbox, Christmas decorations and other items that were stored in the basement, but he is not asking for replacement of those items or for the City to pay for restoration of the paneling or other finishes/fixtures in the basement. The Council discussed the denial of the claim by both insurance companies and the potential precedence set if the City were to pay for damages after insurance denial. Boone highlighted the similarities and differences of this situation to previous sewer backup claims that were paid by the City.

***Motion by Boone to have the City pay for cleanup-only by ServiceMaster (no restoration), a dumpster, and replacement of the dryer, chest freezer and air conditioner with a limit of \$6,000 and the understanding that if the costs come in higher than \$6,000, the Council will consider the additional expense at the February meeting, seconded by Mann, motion carried with Francisco abstaining.***

The 2021 meeting schedule was presented. The May meeting is planned for Thursday, May 13, 2021 at 9:30 a.m. at The Edge Center as a collaboration with the school. Boone noted that if it is not possible to hold the meeting at that time, the backup time will be the usual 5:30 p.m. scheduled time on that same day.

***Motion to adjourn by Mann at 7:09 p.m., seconded by Gustafson, MCU.***

Angela L. Storlie  
City Clerk/Treasurer

Approved at the regular meeting held on  
February 11, 2021

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Mayor