

**POLSON CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
MONDAY, NOVEMBER 21, 2005, 7:00 P.M.**

**ATTENDANCE: Councilmen present: Lou Marchello, Mark MacDonald, Jules Clavadetscher, Tom Corse, Dan Morrison. Councilman Mike Maddy absent. Mayor Randy Ingram presiding. City Attorney James Raymond present. Others present: Tom Maloney, Lee Manicke, Gerald Kenmir, Tony Porrazzo, Murat Kalinyaprak, Bonnie Manicke, Elsa Duford, Carol Jones, Doug Chase, Bob Williams, Wanda Robinson, Sheri Morrison, Jane Cheek, Fred Funke, Bruce Agrella.**

**CONSENT AGENDA:**

**A. City Council Meeting Minutes of November 7, 2005**

**B. Police Field Training Officer Seminar 1/30 to 2/3/2006 in Helena, Levi Read**

**Motion made by Councilman Corse, seconded by Councilman Marchello to approve the consent agenda items A and B as presented. Motion carried unanimously.**

**PETITION REQUESTING CITY TO ACCEPT LA VISTA OVERLOOK ROAD:** Gerry Kenmir and Elliot Johnson represented the La Vista Homeowners Association in their request for the City to maintain La Vista Overlook Road, which is a private road within their subdivision. They provided the City with a petition signed by all the property owners in that subdivision, that have homes on them and one of the owners of the four bare lots gave their verbal approval. The other three could not be contacted. They also provided the City Attorney with a copy of their covenants and a plat showing La Vista Overlook as a private road. Mayor Ingram noted that City Attorney James Raymond reviewed their covenants, which allows the Homeowners Association Board of Trustees to contract for maintenance of the road. City Attorney James Raymond clarified that if they wish the City to take ownership of the road, then each of the property owners would have to quit claim their ownership to the City. Mayor Ingram noted that although the road is not built to City standards, Rod Hanson, the City's Street Superintendent, feels it is a good road and only lacks curbs. Councilman Clavadetscher asked and Elliot Johnson replied that the Homeowners Association wants the City to take over the road and not just contract for maintenance service. It was clarified that the road is approximately three tenths of a mile, or 1,400 to 1,500 feet long and accesses from Hillcrest Drive across Morehead Lane. Council discussed the recurring issue that subdivisions are built with private roads to save developers the cost of building roads to City standards, then after a few years they ask the City to take over maintenance, which does not benefit to the City. Elliot Johnson explained that the property owners pay taxes and Council has accepted private roads in the past. The road is used for the cemetery access and for some construction access. Councilman MacDonald noted that Morehead Lane should be made wider and asked that they have time to review the easements for the right of way. Mayor Ingram clarified that the City would need to have the road deeded as a public right of way. Water and Sewer Superintendent Tony Porrazzo stated that it is a problem for extending service lines when roads are not deeded to the City as public right of way. **Motion made by Councilman Clavadetscher, seconded by Councilman Marchello, to defer the request to maintain and take ownership of LaVista Overlook Drive as requested by the Homeowners Association, to clarify the width of Morehead Lane and if access is provided through an easement or if it is a deeded right of way.** Council agreed that they would require the road to be brought to City standard specifications before it is accepted as a City street.. **Motion carried unanimously.**

**AMENDMENT NO. 1 TO STELLING ENGINEERING AGREEMENT FOR ENGINEERING SERVICES FOR HIGHWAY 35 WATER MAIN RELOCATION PROJECT:** Water and Sewer Superintendent Tony Porrazzo explained that there were some changes to the original plans for the Highway 35 water line relocation project, resulting in savings in some parts of the project. 770 Feet of additional water mains were also placed, along with main lines that cross the highway at four additional locations. The additional lines that were placed brought the total cost above the budgeted amount for this project but it will save money for future projects. Two of the highway crossings were paid for by Northwest Holdings LLC for Mission Bay Subdivision. **Motion made by Councilman Marchello, seconded by Councilman Morrison, to approve Amendment No. 1 to the Stelling Engineering Agreement for engineering services for the Highway 35 Water Main Line Relocation Project as presented. Motion carried unanimously.**

**WATER DEPARTMENT TO PURCHASE .56 ACRES, TRACT 2 EAST HILLSIDE ADDITION #3, BUY SELL AGREEMENT \$52,500 FROM JON AND KATHY KEITH:** Mayor Ingram informed Council that the Keith's are asking for \$52,500, which is a split between the high and low appraisals with the City to assume the SID assessment. Councilman MacDonald said he reviewed both appraisals and questioned one of the comparison sales used in the second appraisal, which seemed higher than he felt it should be. Water and Sewer Superintendent Tony Porrazzo explained that it is important for the water department to acquire this property. Although parkland borders some of the area there is only 30 feet in front of the tank and very little area for the water lines. He feels that this property should have been purchased earlier and confirmed that he has funds in his budget to cover the cost. Councilman Clavadetscher asked if Councilman MacDonald is proposing to have another appraisal done. Mayor Ingram clarified that he told the Keith's that the Council would not pay more than half the difference of the appraisals, then they proposed

that the City pay off the \$1,200 SID. City Treasurer Bonnie Manicke noted that the topography of the property around the tank is not functional for a residential lot and should have a reduction for obsolescence in the appraisal. Bob Williams said he is speaking for the Polson Citizens for Better Government, stating that the property around the tank is not likely to be developed. They feel that there is a buffer around the property and it is not a threat to the City of Polson. They suggest an alternative to buying this property that the \$52,500 should be spent on improvements to the water infrastructure. Carol Jones said she has the same concerns, that this expenditure would be poor use of water revenue, especially since the property has been there for years. She suggested using those funds to make improvements to the Skyline Tank and Hillcrest wells. Water and Sewer Superintendent Porrizzo expressed his concern about the iron pipe breaking if a house were built on that property. He explained that the City is in the process of applying for grants for improvements to the infrastructure including Hillcrest and Skyline reservoirs and feels that this property should have been purchased a long time ago. Murat Kalinyaprak stated that this lot was part of a one and one half acre property that was sold last year for \$36,000, and has no legal access. He finds it hard to understand why the City didn't buy it then. He checked other properties that were sold at that time and they didn't triple in value since then, therefore he questioned why this property would be appraised for so much more. Mayor Ingram replied that both appraisals that were provided verified that there is an access and the appraisals were close in value. Murat Kalinyaprak asked about the simultaneous closing mentioned in the appraisal and questioned the comparables. He felt the City should negotiate for a better price and suggested and proposed that the City has first right of refusal. Tony Porrizzo clarified that they are not in a hurry but he feels that it is the right thing to do for the water department. Mayor Ingram clarified that this property is not part of a pre-application that was proposed for development in that area. **Motion made by Councilman Marchello, seconded by Councilman Morrison, to table the purchase of .56 acres for the Water Department, to get an opinion from the title company about the legal access to this property and negotiate a lower price. Motion carried unanimously.**

**Mayor Ingram removed himself from his seat as chairman and asked Councilman Morrison to preside over the meeting for the following two agenda items.**

**BANKING SERVICES CONVERSION:** City Treasurer Bonnie Manicke referred to her letter attached to the Council's agenda in which she gave them information on the process she followed to expedite the City's banking conversion from First Interstate Bank to Glacier Bank effective September 9, 2005. She noted that the City utilizes many banking facets, and she will contact all financial institutions within the City of Polson for investment and financing purposes, in order to get the best available investment for the City. The current interest rate on the repurchase investment account at Glacier Bank is 3.47% compared to 2.99% in September 2005.

**SECURITY PLEDGES BY GLACIER BANK AND 1<sup>ST</sup> CITIZENS BANK:** City Treasurer Bonnie Manicke referred to her report of the securities pledged for the City's public funds on deposit. At Glacier Bank the City has \$1,200,000 in Certificate of Deposit with \$1,887,868.52 in pledged securities and \$100,000 of FDIC Insurance coverage. At 1<sup>st</sup> Citizens Bank the City has \$1,775,000 in Certificates of Deposit and savings of \$464.80 with \$1,708,698.08 in securities pledged and \$100,000 in FDIC Insurance coverage. She also provided a detailed listing of pledged securities with the Council's agenda. **Motion made by Councilman Marchello, seconded by Clavadetscher, to approve the security pledges by Glacier Bank and 1<sup>st</sup> Citizens Bank for the City's deposits as presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

**Mayor Ingram returned to chair the meeting.**

**OCTOBER 2005 CASH REPORT:** City Treasurer Bonnie Manicke presented the October 2005 Cash report attached to Council's agenda and noted that there were no negative balances in any of the funds on the report. **Motion made by Councilman Clavadetscher, seconded by Councilman MacDonald, to approve the October 2005 Cash Report as presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

**OTHER PUBLIC COMMENTS NOT ON THE AGENDA:** Water and Sewer Superintendent Tony Porrizzo informed Council that Patrick Sorrell recently passed his water certification and is now a certified water and sewer operator. Elsa Duford asked what the correct information is about the type of arrangement the City has for the water tank next to Skyline III on Steve Jensen's property. She noted that the minutes for several different meetings contained conflicting information. Mayor Ingram replied that the City has an easement for a 100' diameter for the tank location and also has legal access to it.

**Meeting adjourned at 8:02 p.m.**

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**Randy Ingram, Mayor**

**ATTEST:** \_\_\_\_\_  
**Aggi G. Loeser, City Clerk**