

**POLSON CITY COUNCIL MEETING AGENDA
CITY HALL COUNCIL CHAMBERS
MONDAY, MAY 15, 2006, 7:00 P.M.**

ATTENDANCE: City Council: Bruce Agrella, Mark MacDonald, Jules Clavadetscher, Mike Lies, Tom Corse, Fred Funke. Mayor Randy Ingram presiding. City Attorney James Raymond absent. Others Present: Rick Lapiana, Bob Lajoie, Rory Horning, Tony Porrazzo, Lee Manicke, Greg Hertz, Elsa Duford, Doug Chase, Bonnie Manicke, Murat Kalinyaprak, Lita Fonda, Linda Sappington, Bob Fulton.

CONSENT AGENDA:

- A. CITY COUNCIL MEETING MINUTES MAY 1, 2006**
- B. TRANSFER LIQUOR LICENSE FROM RANCHO DELUXE & RIO CAFÉ TO EAST SHORE SMOKEHOUSE**
- C. HIRE POLICE OFFICER TODD SCHAULS @\$12.75/HR.**
- D. HIRE GOLF SUPERINTENDENT GREGORY JONES AND AUTHORIZE MAYOR TO NEGOTIATE SALARY WITHIN CURRENT BUDGET**
- E. POLICE TRAINING - CRITICISM & DISCIPLINE – COTTLE, BOOTH & READ
6/24/06 KALISPELL \$597**
- F. MONTANA FIRE ALLIANCE CONFERENCE – MALONEY & GLASSON
6/8/06 BUTTE \$909.20**
- G. RESIGNATION – LITA FONDA – BUILDING PLANNING ASSISTANT**

Mayor Ingram read the consent agenda items A through G. **Motion made by Councilman MacDonald, seconded by Councilman Funke, to approve the consent agenda items A through G, with a correction to the minutes, that Councilman MacDonald stated that the section of Shoreline Drive that extends into the Diamond Horseshoe parking lot, has never been abandoned. Motion carried unanimously.** Councilman Clavadetscher clarified that he did further research and found that the bureau of census develops an annual estimate through a complex formula. The July 2004 census gave a population of 4,681 for the City of Polson, which is a 3.3% growth rate from the April 2000 census. Therefore, he felt that the forecast of a 3% growth rate given at the last meeting was on track with the available data. Rory Horning said he would give a rebuttal if it was on the agenda. He asked that the minutes of the Council Meetings be put on the City's web site for the public's convenience. Mayor Ingram replied that it is an added expense to the City and it would be up to the City Council to direct him to do so. **Motion carried unanimously.**

MISSION BAY PRESERVE ORCHARD PHASE I – 10 WATER HOOK UPS - DENNIS DUTY: **Motion made by Councilman Corse, seconded by Councilman Clavadetscher, to approve ten water hook ups for Mission Bay Preserve Orchard Phase 1 as requested by Dennis Duty.** Elsa Duford said she counted 250 hook ups that Council approved for subdivisions that have not been used. She asked that Council make an amendment to the resolution, that no more than 30 hook ups per developer be available after one year until they are used. She feels that the developers would be hogging the water if they get approval for more than 30 hook ups in advance of using the hook ups. They could use up all the available water allocations and leave others without water. **Motion carried unanimously.**

ORDINANCE #620 – FIRST READING – FIREWORKS REGULATIONS MUNICIPAL CODE CHAPTER 9.18 REVISION: Councilman Lies noted that these revisions to the fireworks regulations are long overdue. **Motion made by Councilman Lies, seconded by Councilman Funke, to approve the first reading of Ordinance #620, revising the fireworks regulations in the City's Municipal Code Chapter 9.18 as presented. Motion carried unanimously.** Rory Horning asked that he Ordinance be read. Mayor Ingram replied that he could read the ordinance before the next meeting and have an opportunity to comment before Council votes to approve the second reading at the next Council meeting.

HILLCREST DRIVE – PUBLIC RIGHT OF WAY DEDICATION TO CITY - JAMES RAYMOND: Mayor Ingram asked Council to defer this item because the paperwork has not been finalized. **Motion made by Councilman Lies, seconded by Councilman Funke, to defer the Hillcrest Drive public right of way dedication to the City until further information is available. Motion carried unanimously.**

ORDINANCE #621 – FIRST READING - AMEND MUNICIPAL CODE TRAFFIC INFRACTIONS - JAMES RAYMOND: Police Chief Doug Chase noted that he and Assistant Police Chief Stevens reviewed the proposed amendment and recommend Council approval. **Motion made by Councilman Clavadetscher, seconded by Councilman MacDonald, to approve the first reading of Ordinance #621 to amend the Municipal Code in several sections of Chapter 10 to provide for enforcement of civil infractions as provided for by legislation amended in 2005. Motion carried unanimously.** Murat Kalinyaprak asked that the Ordinance be read and suggested that these types of items be put on the City's web site. Mayor Ingram replied that he is not aware of any responsibility to read the document or to put it on the City's website.

KERR DAM SPORTS COMPLEX – YELLOW CURB STRIPING ON 7TH AVENUE WEST - DOUG CHASE: Police Chief Doug Chase informed Council that the congested parking along the curb at the Sports Complex on 7th Avenue, has been a long standing public safety concern and he has had many complaints about it over the years. They have contacted the neighboring property owners who all agreed with the proposal to prohibit parking there. The only exception was requested by Mission Valley Animal Shelter that his clients' be allowed to park and unload horse trailers when the need arises. He noted that Mayor Ingram contacted the Highway Department who agreed to assist the City with that project. **Motion made by Councilman MacDonald, seconded by Councilman Agrella, to approve painting the curb yellow along the Kerr Dam Sports Complex on 7th Avenue West as proposed. Motion carried unanimously.**

ORDINANCE #619 SECOND READING – WILKINS & JENSEN ZONE CHANGE FROM RRZD TO LRZD – POLSON DEVELOPMENT CODE AMENDMENT: Motion made by Councilman Clavadetscher, seconded by Councilman Corse, to approve the second reading of Ordinance #619 to change the zoning from Rural Residential Zoning District to Low Density Residential Zoning District for specific properties located adjacent to Skyline Addition #3 owned by Wilkins and Jensen as proposed. Murat Kalinyaprak said he thought there would be no action on their proposed development until a new source of water is found. Lita Fonda clarified that RRZD, which is the current zoning, is not a zoning designation within the City limits. Therefore it needs to be changed to the closest zoning designation allowed within the City, which is LRZD. Mayor Ingram clarified that Wilkins and Jensen did agree that they wouldn't require any water hook ups until the City had an additional water source. **Motion carried unanimously.**

RESOLUTION #922 – ANNEXATION - 1500 HILLCREST DRIVE - DALE GILLESPIE AND

RESOLUTION #923 – ANNEXATION – 1613 & 1615 HILLCREST DRIVE - RICHARD & JOYCE NORMAN: Councilman Lies noted that these properties are not contiguous to the City limits until Hillcrest Drive is annexed into the City. **Motion made by Councilman Lies, seconded by Councilman Funke, to defer the approval of Resolution #922 and Resolution #923 until the Hillcrest Drive road is dedicated to the City. Motion carried unanimously.**

APRIL 2006 CASH REPORT - BONNIE MANICKE: City Treasurer Bonnie Manicke presented the April 2006 Cash Report and noted one negative balance in the Salish Point Improvement fund 2210. She explained that \$11,400 was expended for a storm drain project which will be reimbursed through a water quality EPA grant. **Motion made by Councilman MacDonald, seconded by Councilman Agrella, to approve the April 2006 Cash Report as presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

IMPLEMENT ALLOWING CREDIT CARD PAYMENTS – COURT - BONNIE MANICKE: City Treasurer Bonnie Manicke informed Council that the Court Department is hoping to improve on their rate of collections by offering the option of paying fines with credit cards. The cost of the service through Nxgen, and US Bank, is a \$150 application fee plus \$600 a year, and other monthly fees of \$5.00 and \$15.00. She noted that the City Attorney approved the agreement as to form and it requires the Mayor and City Treasurer's signature. The City has two separate bank accounts and bank account number requires a separate plate at a cost of another \$750, if other departments want to utilize the service. Councilman MacDonald suggested that they monitor the City Court Department to see if it is economically feasible and then consider it for other departments. Councilman Corse questioned how this would produce

more payments. Bonnie Manicke said although it is a large expense they are hoping the convenience will promote payments in full instead of monthly installments. Councilman Corse asked if warrants have been issued for the delinquent accounts. Police Chief Doug Chase replied that warrants have been issued but most of the time there is no room in the jail when they are served with the warrants. Mayor Ingram noted that there are thousands of dollars in uncollected receivables in the Court Department and they could charge the standard 3% for paying by credit card to recoup the monthly fee. Bonnie Manicke stated that the Lake County tax department charges twenty-five cents for each hundred dollars that are paid by credit card. Mayor Ingram explained that the goal is to be able to collect more fines. Council asked Bonnie Manicke to get more information if it would be feasible for the City to utilize credit cards in all the City's departments. Councilman Corse suggested that it be closely monitored to make sure it increases the Court revenues. **Motion made by Councilman MacDonald, seconded by Councilman Funke, to approve the implementation of accepting credit card payments in the Court Department. Motion carried unanimously.**

BUDGET AMENDMENTS – PUBLIC HEARING SCHEDULED FOR WEDNESDAY 5/24/06 5:15 P.M.: Mayor Ingram noted that this is an information item only, to give notice of a special Council Meeting on Wednesday, May 24, 2006 at 5:15 p.m. to discuss the budget amendments that are required for this fiscal year and approve them by resolution.

PUBLIC COMMENTS NOT ON THE AGENDA – DISCUSSION: Elsa Duford asked if the public announcement system has been ordered for the Council Chambers. Bob Lajoie said they are reviewing the cost of the microphones and the purchase should be finalized by the end of the week.

Rory Horning served Mayor Ingram with a summons to appear in small claims court on June 1, at 11:00 a.m. Mayor Ingram stated that the summons was initiated by Murat Kalinyaprak, relating to the golf course.

Murat Kalinyaprak asked Council about Golf Course policy. Councilman Corse replied that once the City is involved in legal action they were advised by the City Attorney that they cannot engage in discussion about any related issues. Mayor Ingram suggested he contact City Attorney James Raymond if he wishes to discuss any issues related to the Golf Department. Murat Kalinyaprak suggested that the Council adopt a policy that establishes rules regarding links to the City's website.

Meeting adjourned at 7:40 p.m.

Randy Ingram, Mayor

ATTEST: _____
Aggi G. Loeser, City Clerk