

**POLSON CITY COUNCIL MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JANUARY 17, 2007, 7:00 P.M.**

ATTENDANCE: Council Present: Bruce Agrella, Mark MacDonald, Tom Jones, Mike Lies, Tom Corse present. Fred Funke absent. Mayor Jules Clavadetscher present. City Attorney James Raymond present. Others Present: Robert Lajoie, Jack Riekema, Mark Evertz, David Rensvold, Elsa Duford, Gayle Siemers, Lee Manicke, Nathan Pierce, Roseanne Jones, Joan Rodriguez, Sue Taylor, Greg Hertz, Kate Hertz, Tony Porrazzo, Murat Kalinyaprak, Bonnie Manicke, Linda Sappington, Rory Horning.

CONSENT AGENDA:

A. CITY COUNCIL MEETING MINUTES JANUARY 3, 2007

**B. LIBRARY – OFFLINE RETREAT – BOZEMAN, FEBRUARY 22, 23,
MARILYN TROSPER, FUNDED BY PRIVATE DONATIONS**

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

WATER MAIN LINE EXTENSION – NEW BOOSTER STATION AT SKYLINE TANK AND ACCEPTANCE OF WELLS AT MILLSITE (COUGAR RIDGE SUBDIVISION)-DENNIS DUTY – NORTHWEST HOLDINGS: Mayor Clavadetscher informed Council that this item has been withdrawn from the agenda by Dennis Duty of Northwest Holdings, because Wal Mart will not make a decision to invest in a booster station until the pending litigation has been decided.

ACCEPT TRANSITION ADVISORY PLAN TO CHANGE POLSON’S FORM OF GOVERNMENT TO CHARTER MANAGER FORM AS PREPARED BY POLSON LOCAL GOVERNMENT REVIEW STUDY COMMISSION: Councilman Corse acknowledged the City’s receipt of the Transition Advisory Plan prepared by the Local Government Review Commission. He noted that this is the commission’s final step and fulfills their legal obligation to provide the City with their recommendation of a plan to change to a charter manager form of government, which the residents of Polson voted in favor of. He thanked the members of the Local Government Review Commission, Dave Rensvold, Ed Hamm, Nathan Pierce, Ryan Avison, Gayle Siemers, and Elsa Duford who was the only elected member, and Murat Kalinyaprak and Rory Horning also contributed and were involved in the process. He expressed appreciation for their hard work and their thoroughness.

Elsa Duford said she understood that Dave Rensvold would present the transition plan. She expected that after discussion the Council would be asked to approve the final report. Councilman Corse clarified that the City Attorney determined that this transition plan is a guide and does not require a vote of approval by Council. Elsa Duford stated that the total cost of this study was not clear. She was told that Ken Weaver charged \$1,500 for this report and then another \$200 was due. She asked several times to get the total cost incurred by the Local Government Review Commission over the years, to determine how much of their \$4,000 budget allotment, \$2,000 each year over a two year period, that they spent. She has no idea of the amount and she feels how much and how it was spent needs to be made known. She asked if the plan was available at the Library and City Hall for the public to review. Councilman Corse replied that he personally delivered the document to the Library and it was also available for public review at City Hall. Elsa Duford noted that the draft plan was not available to the Council and the changes on page 9 were questionable. The copy she reviewed on Friday had been changed from the information she gave to Dave Rensvold, it is wrong when it states that she refused to sign it. She asked to put a note in the document and her statement was rejected to be put in the final report. Her comments were excluded. There were

two councilmen present when she asked who paid for the flier at their meeting and she didn't get a response.

Rory Horning said it was stated by Councilman Corse that all the City's resolutions and ordinances will need to be brought in line with the new charter form of government. He asked what the cost will be and suggested that it should be put out for bid. Mayor Clavadetscher replied that their estimate is that it will be below \$25,000, which is below the threshold for bid requirement. Rory Horning questioned why no vote is required. Mayor Clavadetscher replied that the vote of the residents of Polson requires the City to follow through with the transition to a charter manager form of government.

AUTHORIZE CREATION OF AND APPOINT MEMBERS TO A SEARCH COMMITTEE FOR THE CITY MANAGER POSITION AND ADVISE COUNCIL – MAYOR - 2 CITY COUNCIL MEMBERS – 2 LOCAL GOVERNMENT COMMISSION MEMBERS – 1 DEPARTMENT HEAD – 1 MEMBER AT LARGE: JULES CLAVADETSCHER, TOM CORSE, DAVE RENSVDL, NATHAN PIERCE, KAREN SARGEANT, LOU MARCHELLO: Motion made by Councilman Corse, seconded by Councilman MacDonald, to approve the number and type of representation on the city manager search committee, to be 2 council members, 2 local government commission members, 1 department head, 1 citizen at large and the mayor, for a total of 7 members. Mayor Clavadetscher informed Council that the City is currently running an ad for a member at large. Councilman Lies suggested that the Council should be involved with the interviews and make the final decision. Mayor Clavadetscher stated that there are typically a large number of applications and this committee can do the preliminary screening to narrow the number to be interviewed. **Councilman Corse amended his motion to state that the Search Committee would be an advisory board to the Council. Motion seconded by Councilman MacDonald.** Councilman Jones agreed that the Search Committee should advise the Council and do the research on the applications and provide a report to Council. Mayor Clavadetscher clarified that the committee would insert ads and review resumes, do follow up research contact references and present that information to Council. He asked Council to authorize the Mayor to form the advisory committee as opposed to approving the individual members. It was stated that the Search Committee positions be open to other members of the community and should not include the Study Commission members or the Council to get others involved who have not been involved in this process. Rory Horning asked that the Council give the courtesy of appointing Elsa Duford to the Search Committee, considering that she is the only elected Local Government Review Commission member, even though she has opposing views and could give another perspective. **Councilmen Jones and Lies opposed. Councilmen Corse, Agrella and MacDonald voted in favor. Motion carried.**

COMPENSATION POLICY FOR EMPLOYEE TRAINING – ALTERNATIVE A OR B: Motion made by Councilman Lies, seconded by Councilman Agrella to approve the proposed alternate A Compensation for Employee Training – that the City of Polson will not increase employees' salaries for increased or improved credentials resulting from training received, either paid for by the employee or paid for by the City of Polson. The only exception will be if an employees' grade or job classification changes and merits a pay increase as a result of a new, higher classification. Such increases will be recommended by the employees' supervisor, the Mayor and approved by the City Council. Councilman Corse spoke in favor of approving alternate B because it would give more latitude and gives the ability to encourage employees to better themselves, whereas alternate A provides no ladder for improvement through training and he considers the increase in pay is worthwhile. Councilman MacDonald agreed that alternate A would reduce morale and the employee's incentive to better themselves through education and training. Councilman Lies explained that the City is paying the employees time and the cost of training which is an incentive in itself. Water and Sewer Superintendent Tony Porrazzo spoke in favor of alternate B which states that the City of Polson will increase employees'

salaries up to 2% for approved training that provides an increase in job classification or certification level. The training program and salary increase would be reviewed and approved by the department supervisor and the Mayor in advance of the actual training program. He also asked that Council consider a higher compensation than 2% when their grade level changes as a result of training toward certification. Police Chief Dough Chase said he discussed this issue with his department members and they all asked that Council consider approving alternate B because they need to be trained and instructed in many different areas including firearms. Alternate B would give them an incentive to taking on additional duties and is more beneficial for the police department. **Councilmen Lies, Jones, and Agrella voted in favor and Councilmen MacDonald and Corse opposed. Motion carried to approve alternate A as the City's policy for Compensation for Employee Training.**

INTENTIONAL EXCLUSION OF PUBLIC COMMENT BY MAYOR CLAVADETSCHER AT 1/03/07 COUNCIL MEETING – INCLUDE OR EXCLUDE PUBLIC PARTICIPATION IN POLSON MUNICIPAL GOVERNMENT – FAILURE TO PROTECT CIVIL RIGHTS – RORY HORNING: Rory Horning stated that Mayor Clavadetscher did not delineate the “other public comments” agenda item and found it offensive that he adjourned the meeting before he had a chance to speak. The constitution provides that the public should have a right to speak their opinion. The public comment agenda item was not delineated as other items were. Murat Kalinyaprak said he agreed with Rory Horning that Mayor Clavadetscher did not conduct the meeting properly. Rory Horning reminded Council that they were all elected and should allow the public to be heard. Elsa Duford said she agreed with Rory Horning and Murat Kalinyaprak's comments. Rory Horning asked why that agenda item was handled differently than other agenda items. Murat Kalinyaprak said others were allowed to speak for a long time and everyone should be given the same opportunity to speak. He asked that the meetings be conducted properly. Mayor Clavadetscher asked if there were any other comments. He asked if there was a motion from Council. No motion was made and the motion died for lack of motion.

\$35/MONTH PER PERSON INTERNET CONNECTION ALLOWANCE FOR CITY COUNCIL MEMBERS – DO RESCIND THIS STIPEND – CONSIDER ALTERNATIVES LATER BY COUNCIL VOTE – MURAT KALINYAPRAK: Murat Kalinyaprak said he didn't understand the agenda item that was on the last Council Meeting Agenda regarding the allowance for Council's internet connection. The \$35 increase in Council's monthly wage to \$200 was not voted on specifically. He questioned why they would need fastest dsl connection, which is the highest cost. He questioned if it would lead to private meetings and secret communications between the council and mayor. He asked that the \$35 be abolished and done properly at a later time. Rory Horning said he would ask for copies of all their e-mails. Mayor Clavadetscher asked if there were other comments. Councilman Jones said he clearly understood that the \$35 increase would be for an internet connection. Councilman MacDonald said he thought it was a raise and didn't realize it was for an internet connection. No motion was made by Council.

DECEMBER 2006 CASH REPORT: City Treasurer Bonnie Manicke presented the December 2006 Cash Report. She noted that the cash report reflects the General Fund 1000, State quarterly allocation revenue of \$116,378. There is one negative balance in the Gas Tax Fund 2820 \$5,271.23 which should be covered by the \$8, 558.83 monthly revenue from the State. The debt service for SID#38 semi annual payment and penalty and interest were paid and has \$15,000 in outstanding bonds. The cash report balances to the investments. The total cash value for the City is \$4,483,368.48 and an investment is due to be cashed in on February 15. There is a large cash balance in the Sewer Fund 5310 which is budgeted to pay for the Ducharme Park Lift Station project. **Motion made by Councilman Lies, seconded by Councilman MacDonald, to approve the December 2006 Cash Report as presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

OTHER PUBLIC COMMENTS: Councilman Corse informed Council that the Golf Board agreed to extend the Golf Restaurant Management Contract with Phil Smith until February 5, 2007. After discussing a number of options the Golf Board could not reach an agreement with Phil Smith, the present operator. He informed other people that his last day of operation would be January 27, 2007. An ad soliciting interest in the management contract has been placed in the local papers. Murat Kalinyaprak asked if the Golf Pro Contract has been renewed. Councilman Corse replied that he has not received the signed contract back from Golf Pro Roger Wallace. Murat Kalinyaprak asked if the City is paying the band \$800 per night for their performance at the restaurant. Councilman Corse replied that the City does pay the band \$800 per night when they perform, which is a reduced rate from their normal charge.

Mayor Clavadetscher read a letter from Janice Phillips from Big Arm, expressing her appreciation and commending the Polson City and Rural Volunteer Fire Department members for helping to upgrade the Big Arm Fire Hall.

Greg Hertz encouraged the City to use the internet for public involvement, to scan the agenda item attachments like they do at the City of Missoula and put that information on the City's website. They have e-packets for their Council and it is also available to the public which helps them get more information and gives them an opportunity to give input to the Council's decisions.

Murat Kalinyaprak asked if the City will budget to subsidize the Council's electric bill.

Rory Horning asked that the Council bring forward the budget line by line. He asked that the Council Minutes heading be moved under the City Council heading which would be easier to find than in between the department headings. He asked that the Mayor apologize for making an error and in order to get respect they have to give respect instead of being lied to or misled. He expected that the Council would hold meetings by e-mail and he would be asking for copies of their e-mail. He asked that Council consider the cost of their legal council and felt they are in violation of human rights laws and although they know they are wrong, it is a mayoral privilege.

Meeting adjourned at 7:50 p.m.

Jules Clavadetscher, Mayor

ATTEST: _____
Aggi G. Loeser, City Clerk