

**POLSON CITY COMMISSION WORKSHOP MINUTES
CITY HALL – CITY COMMISSION CHAMBERS
FEBRUARY 16, 2010, 6:00 P.M.**

ATTENDANCE: City Commissioners: Ron Boyce, John Campbell, Judy Preston, Mike Lies, Elsa Duford, Fred Funke present. Mayor Pat DeVries presiding. City Manager Todd Crossett and City Attorney James Raymond present.

CALL TO ORDER: Mayor DeVries called the meeting to order.

APPROVAL OF PROPOSED AGENDA: Commissioner Lies moved to approve the agenda as proposed, seconded by Commissioner Funke. The motion carried unanimously.

CHARTER FORM OF GOVERNMENT: City Manager Crossett began with a breakdown of the branches of government within the City and the Commissioners' and employees' roles within the government. He advised that the employees would be accountable to the City Manager, and the City Manager was accountable to the Commissioners and Mayor. He defined the responsibilities of the manager, and went over key indicators of successful leadership. Diversity in a productive format, strategy and long-range vision, and the Commission seeing themselves as a team with each other as well as the staff. He described the structure of the Commission and staff, and pointed out the main sources of problems relevant to general municipal leadership: the Commissioners and staff not acting as a team, not acknowledging each other's roles, a lack of clear communication, and the rumor mill acting as a communication tool. Commissioner Boyce inquired how Commissioners should go about attaining the most accurate information, and whether it was appropriate to go directly to the department heads. City Manager Crossett replied that he encouraged the Commissioners to speak with department heads to gather information, as long as they were not giving employees directives. If there were an issue that a Commissioner would like addressed, he asked that they come to him with it. Mayor DeVries felt that most information received from any departments or the public would be helpful to share with the entire Commission. Commissioner Preston was concerned about sending out emails and creating a quorum. City Attorney Raymond advised that all of them receiving documents would not create a quorum, unless they responded as a group to the document. City Manager Crossett went over information disclosure, and ex-parte communication, which applied specifically to quasi-judicial proceedings - mainly involving land use decisions. He encouraged the Commissioners to speak with citizens on any issues pertaining to legislative issues, which comprise the vast majority of the Commission's activities – just not on quasi-judicial issues, which could have costly legal ramifications. Commissioner Duford was concerned that they would not know what was to be kept confidential. City Manager Crossett responded that anything that dealt with confidential material would be clearly marked, and likely distributed at an executive session or in the form of a file in preparation for a quasi-judicial proceeding like a subdivision. Commissioner Boyce directed attention to Robert's Rules of Order, and asked how it works with meetings of municipal government. City Attorney Raymond explained that Robert's Rules of Order had been adopted by reference in Title 2 of the PDC, and was meant to be used interstitially to fill what was not covered by other specific rules that had been adopted. Commissioner DeVries expressed that she unclear what the Commission was not doing according to Robert's Rules that would be a problem. Commissioner Duford questioned the use

of the consent agenda. She felt the minutes and claims should be open for discussion, and the consent agenda excluded the public. They discussed the structure of the agenda, how items were submitted to the agenda, and what power the Commission had to add or take away items from the agenda. City Manager Crossett mentioned that he tried to work out administrative issues himself prior bringing them before the Commission, noting an example Mr. Kalinyaprak had submitted regarding the golf course accounting and statistics. Commissioner Boyce suggested that agenda items should be clearer on whether a vote will take place at the meeting. Commissioner Duford expressed that she would like more information on the City's claims, and bid acceptance procedure and results. Commissioner Campbell felt concern over the claims being a part of the consent agenda. City Manager Crossett explained that the Commission approves the annual budget, which leaves the individual purchases as an administrative duty and in somewhat of a gray area according to the charter form of government. However, City Attorney Raymond and himself had felt that it was better to provide the Commissioners with the claim detail and fund expenditure totals for each meeting. He encouraged the Commissioners to contact the clerk's office or the department heads if they had questions about a particular purchase. Commissioner Lies was concerned that contractors were charging more than their bids for their work. He expressed a desire for more stringent care when paying the contractors. City Manager Crossett outlined the process for selecting contractors under Montana Code. They discussed how bids were received and the process for choosing a contractor. Mayor DeVries expressed interest in the Commissioners receiving quarterly or monthly reports on the status of the budget. She also noted that she had attended a City staff department head meeting and had been impressed by the way all the departments communicated and were willing to help each other. She asked for any public comment or questions.

Murat Kalinyaprak commented that he disliked anything be passed without public discussion, and the consent agenda had been abused. He expressed dislike for the three-minute rule, and felt that any item that is requested to be on the agenda should be placed there and left to the Commissioners to remove it if they wished.

Rory Horning commented that he wished to be fair, but the AG opinions had been cited in Commission meetings, but had been ignored. He expressed kudos to the Commissioners for being concerned with the claims. Adding that in the past they had been told the City had a balanced budget, but there were negative balances. He commented that the engineering fees were passed on to the citizens. He felt they should go with the cheapest price, not necessarily the best engineers. He felt that the Commission was not following Robert's Rules of Order or Montana law correctly. He expressed that if the City followed open government they would not have the public at odds with the City. He felt the minutes should be as detailed and accurate as possible, and that some workshops were not for the public and did not fully represent those involved.

John Swenson expressed his agreement with Rory Horning. He asked the Commissioners to look into the terms "NGOs", "environomics", and "Local Agenda 21", adding that if they were not familiar with them, there was a bigger problem that anyone in the room understood. He expressed that it concerned him greatly, as well as long-term goals and whether or not the citizens were in favor of them. He added that if they did not know what those terms meant, they did not know the long-range goals of those who were authorized to spend the peoples' money. He suggested they represented a future that did not protect property rights.

Murat Kalinyaprak wondered if any of the questions from the meeting would be answered. He also expressed dislike for various policy changes for Commission meetings over the past years

and felt that they should all be undone. He was in favor of more detailed minutes. Commissioner Duford expressed that many of those changes had been at the suggestion of Ken Weaver at a workshop, which she did not agree with. She expressed that the minutes of the past were closer to verbatim and that was preferred. Commissioner Campbell agreed that looking into the passed minutes having verbatim was very helpful for historical purposes. Commissioner Preston noted that there were recordings of the meetings, but felt that reading the minutes was easier than going back to listen to the meeting. City Manager Crossett pointed out that if the Commissioners wished to have verbatim minutes they would likely need to increase the staff and budget, as it was a considerable amount of time and expense. Commissioner Boyce wondered if there was some sort of equipment that would automatically transcribe the meeting from a recording. City Manager Crossett replied that there was, but they were costly and that it still required human interface. They noted that the PA system was out of order and needed repaired. Mayor DeVries wondered how long the recordings were kept. Assistant City Clerk Kala Parker replied that all of the digital copies of the meeting recordings were kept indefinitely, backed up in several locations. Ken Siler suggested that the Commissioners listen to the meetings afterwards to hear things they might have missed.

Mayor DeVries noted that they were delving into the mechanics and various issues that were outside the subject of the workshop. There would be further workshops held in the future now that they had more specific direction to look into. She thought setting a goal of having each workshop get over at 8:00 p.m. would be fair, and would allow them to focus on the subjects at hand. She asked for those who had not yet spoken and wished to be allowed to speak before those who had already spoken.

Rory Horning commented that it was more important to ostracize individuals by beating the clock. He felt she had made it clear that he was a drag on the conversation.

Don McMillan complimented the Commissioners on the work they were doing, and supported their teamwork.

Tim McGinnis concurred that it had been a very informative workshop, and he had enjoyed the discussion and seeing the process.

John Swenson commented that his comments had been on the subject of charter form of government specifically. Mayor DeVries replied that it would be nice if he had told the Commissioners the meanings of the terms he had mentioned. John Swenson replied that he was not prepared to at this meeting, but we would speak to it if it were put on the agenda. He felt that it should be put on the agenda. He felt those terms were in play in the room, but they were not being named. Commissioner Preston felt that it would be nice to have a workshop to be educated on the matter. John Swenson volunteered to do so. City Manager Crossett asked Mr. Swenson to clarify if he was suggesting there was an agenda or some sort of affiliation with outside private interests being promoted by the staff. John Swenson replied that he was not, but he felt that he had made discoveries by his own investigation. He felt those terms were a good start to finding the truth of what may be going on in that room, and what ideology or theology they were based on. He added that by looking at City documents and long range plans and he could see the potential goals, but he wondered if the elected officials knew what they were. Commissioner Boyce opined that they were getting into the political side, rather than the governmental, and wondered if, as a Commission, they wanted to get into political ideologies. City Manager Crossett noted that he had suggested the Commission have a vision and long-term goals, however he did not advocate a specific position or goal. He felt that for a leadership group to be successful, they needed to look to the future and have a strategy. John Swenson

commented that if you look at those terms, you might see a political goal through a form of government, which services those ends. Commissioner Boyce noted that there were many different political views and views within the room, but he did not feel it was appropriate for a governmental body to get into the political side. John Swenson felt that one form of government was more effective at reaching a predetermined political end, adding that he would give a presentation to the Commissioners to make them aware of documents that seek to bind the citizens.

Murat Kalinyaprak asked that if any meetings were going to have a determined length that it be placed on the agenda. Mayor DeVries replied that she did not wish to set the length of the meetings in stone, but for a workshop she felt two hours was appropriate. She added that they were having another Commission meeting the following day, and there would be more workshops to follow. Commissioner Preston expressed agreement that aiming for two-hour workshops would be ideal. Commissioner Boyce noted that they could set times for discussion on each topic and the public, but it would be a learning process for them. Ken Siler inquired if the Commissioners could limit what was talked about. He suggested they could set a time to discuss matters on the agenda followed by a set time to discuss matters not on the agenda. Rory Horning commented that it was the Commissioner obligation to listen to the public, many of whom came to the meetings were very informed and had worthwhile discussion points. He added that he was astounded that City Commission meetings were so empty, except when it was someone's agenda item and people came into support them. He felt that anyone that spoke was worthwhile for the Commissioners to listen.

Mayor DeVries expressed her gratitude for the participation of the Commissioners and the public at the meeting.

Meeting adjourned at 8:10 p.m.

Mayor Pat DeVries

Attest: Kala Parker, Assistant City Clerk