

**CITY COMMISSION MEETING MINUTES  
CITY HALL – CITY COMMISSION CHAMBERS  
MONDAY, MARCH 16, 2009, 7:00 P.M.**

**ATTENDANCE:** Polson City Commissioners: Bruce Agrella, Jim Sohm, Jules Clavadetscher, Mike Lies, Elsa Duford, Fred Funke, and Mayor Lou Marchello presiding. Acting City Manager/City Attorney James Raymond present.

**Mayor Marchello called the meeting to order, and The Pledge of Allegiance was recited.**

**APPROVAL OF PROPOSED AGENDA:** Mayor Marchello noted that Bill Wilkins had requested the removal of item #5, the extension of preliminary approval of a major subdivision. **Commissioner Funke moved to approve the agenda as proposed, seconded by Commissioner Agrella. The motion carried unanimously.**

**CONSENT AGENDA:**

**A. CITY COMMISSION MEETING MINUTES MARCH 2, 2009**

**B. CLAIMS**

**C. AGENDA ITEM SUBMITTAL DEADLINE CHANGE TO NOON MARCH 25, 2009 FOR THE APRIL 6, 2009 MEETING**

**Commissioner Clavadetscher moved to approve the consent agenda, items A-C, seconded by Commissioner Sohm. Commissioner Lies called attention to the claims and opined that the department heads should use discretion on unnecessary purchases. The motion passed unanimously.**

**SECOND READING – ORDINANCE #643 – FLOATING INTEREST RATE APPLICABLE TO IMPACT FEE REFUNDS:** Commissioner Lies moved to approve the second reading of Ordinance 643, seconded by Commissioner Funke. **The motion carried unanimously.**

**REQUEST APPROVAL TO DONATE TWO GOLF PASSES FOR THE 2010 GOLF SEASON FOR PRIZES AT THE POLSON ROTARY FOUNDATION ANNUAL EVENT:** Commissioner Clavadetscher explained that Rotary was a 501-C3 non-profit organization, and this would be the third year the event would take place. He noted that Roger Wallace and the golf board had approved the donation of the passes to help raise money at the chili cook off for Polson children. The first year they had raised \$10,000 for Pomajevich Park, and last year they had raised \$12,000 for a climbing wall at the middle school. **Commissioner Clavadetscher moved to approve the donation of two golf passes for the 2010 golf season for prizes at the Polson Rotary Foundation’s annual event, seconded by Commissioner Agrella.** Commissioner Duford asked what the total monetary value of the donated passes would be. Commissioner Clavadetscher replied that it was roughly \$480, but it depended whether or not the winner would have bought a season pass if they had not won a set. The previous year’s winner had donated them back to raffle off and \$1,000 had been raised. Commissioner Duford clarified that the passes were for citizens that lived both in and out of city limits. **The motion carried unanimously.**

**APPOINT CITY MANAGER SEARCH COMMITTEE MEMBERS – TWO CITY RESIDENTS, ONE CITY STAFF MEMBER AND TWO ALTERNATES:** Commissioner Sohm noted that Administrative Assistant Ardrene Sarracino had been very helpful and a real asset to the search the committee. **Commissioner Sohm moved to appoint Payroll Clerk Ardrene Sarracino as the city staff member, and City Clerk Aggi Loeser as an alternate. Commissioner Lies seconded the motion. The motion carried unanimously. Commissioner Sohm moved to appoint Dick Blumberg and Don McMillan as the city resident members, seconded by Commissioner Funke.** Commissioner Sohm felt that Mr. Blumberg had attended many Commission meetings and was the appropriate choice, adding that former Search Committee Chair Lois Hart had highly recommended Don McMillan. **The motion carried unanimously. Commissioner Sohm moved to appoint Kevin Avison as an alternate member, seconded by Commissioner Clavadetscher. The motion carried unanimously.**

**SCHEDULE WORK SESSION TO DEVELOP GOALS AND EVALUATION TRAINING FOR CITY MANAGER POSITION:** Commissioner Sohm explained that while reviewing the Transition Plan, he had found that the Commission was intended to evaluate the city manager after the first 6 months, and every 12 thereafter. He felt the Commission should get together to identify and develop goals, make them clearly listed to base the evaluations on. The evaluations could be very subjective unless more clarity was established. **Commissioner Sohm moved to schedule a work session to develop goals and evaluation training for the city manager position, seconded by Commissioner Agrella.** Commissioner Clavadetscher wondered if they should set the goals and objective before there is a city manager in place. Commissioner Sohm stipulated that having them in place would ensure understanding between the Commission and City Manager. **The motion carried unanimously.**

**RESOLUTION #981 – ANNEX NOT PREVIOUSLY ANNEXED PORTIONS OF HAWK DRIVE THAT ARE AT PRESENT DEDICATED TO THE PUBLIC – LAKE COUNTY COMMISSIONERS:** City Manager Raymond informed the Commission that the City staff felt the place to begin annexing wholly surrounded areas was Brown's Lakeview Tracts, which were located in Mission Bay phase VII. Before that could be done, they needed to annex the remainder of Hawk Drive, which the County Commissioners had already signed off on. **Commissioner Clavadetscher moved to approve Resolution 981, to annex the not previously annexed portions of Hawk Drive that are at present dedicated to the public, seconded by Commissioner Funke.** Commissioner Clavadatescher pointed out that the City's street department was already plowing and maintaining those portions of Hawk Drive. **The motion carried unanimously.**

**APPROVAL TO PURCHASE TRACT 2 EAST HILLSIDE ADDITION #3 ADJACENT TO WATER RESERVOIR AT APPRAISED VALUE:** Water and Sewer Superintendent Tony Porrazzo advised that the purchase of lot 2 had nothing to do with the Keith's subdivision. The intent was to protect the City and the land surrounding the reservoir. He noted that the road easement only extended to lot 2, which if the City purchased the entire lot, would make the easement disappear. The purchase had been brought before Council once before and the price had been cheaper, however it was for a portion of lot 2, not the entire ½ acre. He disagreed with the speculation that the property was not buildable. The City of Bozeman had allowed development in the property surrounding their reservoir, which has left them with no room to do

needed expansions, leaving them unable to use that tank. He stressed that it was to the City's benefit to purchase the land and requested the Commissioners approve its purchase. Commissioner Sohm asked if the money was budgeted. Water and Sewer Superintendent Porrizzo replied that it had been budgeted. **Commissioner Sohm moved to approve the purchase of tract 2 east Hillside Addition #3 adjacent to the water reservoir at appraised value, seconded by Commissioner Agrella.** Commissioner Sohm told the Commission he had been to the site to observe the situation, and he agreed it was in the City's benefit to purchase the property. Commissioner Duford disagreed that the purchase was needed because she saw a 30' easement around the tank and a 30' easement on the west side of that. She noted also that when the property was brought before the City Council on November 21, 2005 the cost had been \$52,500. Water and Sewer Superintendent Porrizzo replied that the latter easement was a utility easement placed there to feed the rest of the track in case they ever build on it, if the City purchased the lot, that easement would also disappear. He added that it had nothing to do with the Keith's subdivision. Commissioner Duford expressed disagreement that it had nothing to do with the Keith's subdivision. She felt with the current real estate market, the property was overpriced and the Commission should not move forward with the purchase at this meeting. Commissioner Clavadetscher advised he had a great deal of respect for Jennifer McGinnis, adding that she was very qualified to do the appraisal. He felt the appraisal was appropriate. Mayor Marchello felt that Tony was trying to protect the City and the water tank. Commissioner Lies felt the appraisal's price was too high, and steep slope of lot 2 had been compared to several lots with very little slope. Commissioner Duford felt that there was more information the Commission needed before they vote. Commissioner Lies felt they did not need the entire ½ acre. Water and Sewer Superintendent Porrizzo replied that if the City only purchased part of lot 2, the owners would retain the easement. Commissioner Duford noted that the attachment listed the owners as John & Kathy Keith/Don Claffey. City Manager Raymond advised that if the Commission were to approve the purchase, the owners would have to be identified before the purchase. Water and Sewer Superintendent Porrizzo advised that if the City were to only purchase ½ the lot it would be \$40,000 and the easement would remain. He felt it didn't make sense to buy only part of the lot. Commissioner Clavadetscher felt some of the money for the purchase should come from impact fees. Dick Blumberg wondered if the City could possibly do time payments on the property, rather than \$60,000 upfront. Water and Sewer Superintendent Porrizzo replied that there was merit to that possibility, however impact fee funds have a five-year period in which they must be used. He felt the best thing to do would be to get it over and done with, adding that the Keith's were not open to negotiating the price. Murat Kalinyaprak noted that the property had come before the Commission before, citing concerns that had been brought up in the past. He commented that he did not feel the property was useful and the appraisal was overpriced. Carol Jones suggested the City have a second appraisal done for comparison. Dale Gillespie agreed that it was important for the City to buy the lot, but he disagreed with the appraised price. He felt there needed to be adjustments for the location of the lot and to reflect the current real estate market values instead of 2007's. Brenda Williams raised concerns over the cost of excavation and the question of property ownership. She directed attention to the plat map, noting that the property was in line with the Keith's subdivision. She asked what the Commission's intention was for the property. Murat Kalinyaprak commented that there was a great deal of City property surrounding the tank; he felt the purchase was unnecessary. Commissioner Duford expressed maintenance concerns and worried the hillside would lead to erosion problems, causing a possible liability. She cautioned the Commission to

get more information before they make a decision to purchase the property. Dick Blumberg encouraged the Commissioners to look into imminent domain, condemning the property for City purposes at a much lower price. Dave DeVore felt the City should negotiate further because the property had not sold. Commissioner Sohm suggested tabling the issue for thirty days to address lingering questions. **Commissioner Sohm withdrew the motion to approve the land purchase. Commissioner Agrella withdrew the second. Commissioner Sohm moved to table the item for 30 days, seconded by Commissioner Lies.** Commissioner Clavadetscher advised that he did not want the City to get into a role of condemning property, and he would not support the City condemning property. **The motion carried unanimously.**

**FEBRUARY 2009 CASH REPORT:** City Treasurer Bonnie Manicke advised that the loan money for the two new police cars was included in the general fund's receipts. The golf-operating fund had a debt service of \$6,499.15 for the golf carts purchased 5 years ago, which has 1.5 years left. There were no negative balances in the February 2009 cash report. She noted that the City had received \$134,000 earlier that day from HB124, and the second half of the tax revenue would be coming up in June. **Commissioner Lies moved to approve the February 2009 cash report, seconded by Commissioner Funke. The motion carried unanimously.**

**CITY/RURAL FIRE INTERLOCAL AGREEMENT – DEADLINE APRIL 2<sup>ND</sup> TO WITHDRAW ON JUNE 30<sup>TH</sup> – A 90-DAY NOTICE IS REQUIRED:** City Manager Raymond advised that this was a housekeeping agenda item. This would be the last meeting before the 90-day notice that must be given if the Commission had any desire to withdraw from the interlocal agreement. **Commissioner Clavadetscher moved to give notice of withdrawal from the interlocal fire agreement. The motion died for lack of a second.**

**AUTHORIZE PURCHASE AND INSTALLATION OF WALK IN COOLER AT THE GOLF RESTAURANT:** City Manager Raymond reviewed the different possibilities for a walk-in, citing the bids received for several types. Commissioner Lies noted that Schulz Refrigeration would be able to install the refrigeration system and door, while possibly volunteers could put in the insulation making the total cost much lower. Commissioner Sohm felt that any system that was installed should be done entirely by a professional to avoid any future liability. He added the golf restaurant deck also would need to be looked at. Commissioner Clavadetscher expressed his agreement over liability concerns. City Manager Raymond advised that there was about \$9,000 available in the golf restaurant budget for the project. **Commissioner Lies moved to approve the indoor walk in cooler bid from Food Services of America, seconded by Commissioner Sohm.** Dick Blumberg commented that if the City was covered by liability insurance, it would be worth saving thousands of dollars on the walk-in cooler. **The motion carried unanimously.**

**CITY MANAGER COMMENTS:** City Manager Raymond informed the Commission that the Police department would be receiving a \$23,500 Federal grant for the control and prevention of crimes. The Parks department had received \$4,500 from MMIA for the damage done to the city dock the previous summer. The money would be put in the Salish Point fund for future projects. The golf course had taken the lowest bid, \$2,400 from Foothills Electric, to split the electrical meters correctly. There was not a definite date set for construction to begin on the bridge, but Police Chief Chase, Fire Chief Fairchild and Inspector Sargeant had provided a careful analysis

of the parking and access issues. They were working with MDOT and a map had been printed in the Leader. The Department of Commerce had sent a letter confirming the City of Polson as a resort community. Commissioner Clavadetscher volunteered to be the ex officio member on the resort tax steering committee. The City of Polson already had projects to apply for Federal Stimulus monies, and they were being pursued. The department heads had been directed to have their proposed budgets prepared by the coming Friday. He also expressed the staffs' gratitude for the new front windows, which allow for much better ventilation.

**PUBLIC COMMENT ON MATTERS OF SIGNIFICANT INTEREST TO THE PUBLIC NOT ON THE AGENDA:** Dick Blumberg thanked the Commission for appointing him to the search committee. Murat Kalinyaprak commented that it bugged him the Acting City Manager left the meeting during public comment, and he asked if the Mayor had legal power to give him permission to leave the meeting.

**The meeting adjourned at 8:30 p.m.**

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**Mayor Lou Marchello**

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**Attest: Kala Parker, Assistant City Clerk**