

**POLSON CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
MONDAY, JULY 7, 2008, 7:00 P.M.**

**ATTENDANCE: Council Present: Bruce Agrella, Jim Sohm, Tom Jones, Mike Lies, Elsa Duford, and Mayor Marchello presiding. City Manager Jay Henry and City Attorney James Raymond present. Councilman Fred Funke absent.**

**Pledge of Allegiance and meeting brought to order at 7:00 p.m.**

**Mayor Marchello informed the Council that item 10 discussing parking in public right away would be removed from the agenda due to Councilman Funke falling ill.**

**INTRODUCTION OF TWO NEW RESERVE POLICE OFFICERS – WILLIAM CLEVELAND AND CHRIS DENTLER: Police Chief Chase** informed the Council that there were two new reserve police officers who had completed far and beyond the required hours of the Lake County Reserve Deputy training program. He expressed that they had made a great commitment to the police department and the City of Polson with their time and money invested.

**APPROVAL OF THE PROPOSED AGENDA: Councilman Agrella moved to approve the agenda as proposed, seconded by Councilman Lies. The motion passed unanimously.**

**CONSENT AGENDA**

- A. CITY COUNCIL MEETING MINUTES-JUNE 11, 2008**
- B. CITY COUNCIL MEETING MINUTES-JUNE 16, 2008**
- C. CITY COUNCIL MEETING MINUTES-JUNE 19, 2008**
- D. CITY COUNCIL MEETING MINUTES-JUNE 25, 2008**
- E. JUNE 2008 CLAIMS**

**Councilman Sohm moved to approve the consent agenda, seconded by Councilman Jones. The motion passed unanimously.**

**PRESENTATION TO CITY COUNCIL RE: WATER RIGHTS DISCUSSIONS – BY CHAIRMAN JAMES STEELE – COUNCIL TO AUTHORIZE A LETTER TO THE STATE OF MONTANA: Clayton Matt** explained to the Council the process for water rights in Montana. He pointed out that most negotiations take 8-10 years to complete and the Salish Kootenai Tribe had only begun negotiations in the last couple of years. He added that the process has began in 1979 and was continuing today across the State. He stated the Salish Kootenai Tribe had been denied extending their deadline passed July 1, 2009, despite other Tribes and governmental agencies being granted the extensions they requested. He urged the City to express their support of the Tribe in writing to the State because if the negotiations do not

continue, all people involved would be forced to go to court for their water rights. He expressed that the Tribe needed time because there was a great deal of scientific and legal issues yet to work through. He stressed that time was paramount for reaching an amiable agreement with the Water Compact Commission. He explained that the Tribe wished to educate the public with informational meetings to let citizens know what the cost would be if they are forced to go to court to claim their water rights because negotiations failed. **Mayor Marchello** mentioned that he had been to many of the water meetings and the Tribe had been working very hard in negotiations. **Councilman Jones** inquired how long of an extension the Tribe was looking for. **Clayton Matt** replied that four years would be ideal, but they needed at least two years. He added that they were having monthly meetings with the commission. **Councilwoman Duford** asked if the Hellgate Treaty was the basis for the Tribe's claim to aboriginal water rights. **Clayton Matt** replied that it was the basis of many claims. **Councilwoman Duford** asked if there were any sticking points that were holding up negotiations. **Clayton Matt** replied that the time needed was to create the framework and resolve the technical issues. He added that there were no sticking points. **Councilman Jones** asked if the Tribe was receiving support from elsewhere. **Clayton Matt** replied that Tribe had received support from the Irrigation project; however they were just beginning the process. **Councilman Lies moved that the Council draft a letter of support of the Tribe receiving a four-year extension on their deadline, seconded by Councilman Agrella. The motion passed unanimously.**

**PRESENTATION OF NEED FOR AN ONGOING BI-ANNUAL SPAY/NEUTER CLINIC IN LAKE COUNTY – REQUEST PARTIAL FUNDING TOWARD \$7,000 TOTAL COST – LAKE COUNTY SPAY NEUTER TASK FORCE:** **Pam Gibson** informed the Council that in an effort to get the stray dog and cat population under control they were requesting support from the City, Tribes, and County to host bi-annual spay and neuter clinics, which cost approximately \$7,000 each clinic to hold. She pointed out that the spay/neuter task force was made up of volunteers with support from CSKT, Lifesavers Animal Rescue, Mission Valley Animal Shelter and both Tribal and City animal control. She explained that other cities and counties in Montana that had instituted bi-annual spay/neuter clinics had met with great success. **Karen Duty** informed the Council that last spring the taskforce had sterilized almost 700 animals. She explained that it was crucial to have the clinics in both spring and fall, as they were the main breeding seasons. She added that it was essential to follow up the clinics to keep the population from exploding. She requested the City consider both clinics while preparing their budget for the upcoming fiscal year. She added that the taskforce had approached the Tribe and the County as well for consideration in their budgets. She pointed out that the clinics were preventative measure and she urged them to consider. **Councilwoman Duford** asked if the taskforce was looking for a specific amount of funding. **Karen Duty** replied that they were not looking for a specific amount; they would take what they could get. She asked that the City keep in mind the \$14,000 annually the clinics would cost. **Councilman Agrella moved to include**

**the Spay/Neuter taskforce bi-annual clinics on the budget agenda, seconded by Councilman Sohm. The motion passed unanimously.**

**ACE HARDWARE ANNUAL PICNIC (POLSON, RONAN, KALISPELL EMPLOYEES) – AT POLSON SPORTS COMPLEX ON SUNDAY, AUGUST 17 – PERMIT ALCOHOL BEVERAGE ON PARK PREMISES:** Councilman Agrella mentioned that Ace would be putting up a \$150 cleaning deposit for the park. Councilman Agrella moved to approve the employee picnic at the Sports Complex on August 17, permitting alcoholic beverages on the park premises, seconded by Councilman Lies. The motion passed unanimously.

**RESOLUTION #963 – ANNEXATION – LAKEVIEW CEMETERY – TRACT 2 COS 6655 – LAKEVIEW CEMETARY ASSOCIATION:** Ed Palmer informed the Council that the land had an easement allowing the sewer line to pass through, however the maps were incorrect and the sewer line was not located where it was indicated. Patti Trusler explained that the cemetery had put that excess piece of land up for sale and had received a successful bid, however they needed access to the water/sewer agreement of Ordinance 532, to find out if the hookup rebates were ever distributed as mentioned in the April 20, 1998 City Council minutes. She explained that they were reluctant to authorize connection until the issue was resolved. She informed the Council that the Cemetery was asking for preliminary annexation. Mayor Marchello expressed that the City would research the issue. Councilman Jones noted that rural fire mill levies were not current in some cases due to annexation. Planning Official Joyce Weaver expressed that she was not familiar with preliminary annexation. Councilman Lies moved to table Resolution #963 until the July 21, 2008 Council Meeting, seconded by Councilman Agrella. The motion passed unanimously.

**RESOLUTION #964 – ANNEXATION – 1522 AND 1610 HILLCREST DRIVE:** Tony Dalpiaz informed the Council that he and a partner had bought the land the previous September and they wished to continue developing it. He explained that WGM Group had stipulated that the property needed to be annexed into the City before they continue the process. Councilwoman Duford asked if the land was connected to water and sewer. Water/Sewer Superintended Tony Porrazzo replied that it was connected. Planning Official Joyce Weaver noted that the property was under the wellhead protection zone. Councilman Agrella moved to approve Resolution #964, seconded by Councilman Sohm. Councilman Jones asked that the mill levy tax for the rural fire be current on the property. Tony Dalpiaz expressed that he was not familiar with the levy, but it would be paid. The motion passed unanimously.

**REQUEST AUTHORIZATION TO ADVERTISE FOR CITY MANAGER:** Councilman Sohm moved to approve authorization to advertise for a city manager, seconded Councilman Lies. The motion passed unanimously. Mayor Marchello proposed that Tom Jones, Jim Sohm, and Karen Sargeant sit on the committee at the present time. Councilman

**Sohm**, on behalf of the Council and the City, expressed his thanks to Jay, and wished him and his family the best in Oregon.

**CITY MANAGER COMMENTS:** **City Manager Jay Henry** expressed his Thanks to the City of Polson, adding that he had worked with great elected officials in a wonderful community. He mentioned that he would always remember his time in Polson. **Councilwoman Duford** asked if there had been further success on the 15<sup>th</sup> Avenue well. **City Manager Jay Henry** replied that they had hit water and screens were being built for a pump test.

**PUBLIC COMMENTS:** **Tribal Chairman James Steele** expressed his appreciation for the Council and Mayor's time and support on the water rights issue. He acknowledged Jay Henry's service to the City and expressed that Jay had formed a good relationship with the Tribe. He gave his appreciation for the City signing the interlocal law enforcement agreement. He added that water rights were a community issue and it was very important to have cooperative efforts. **Police Chief Doug Chase** commended the street department on the pothole repairs they had done. He mentioned, on behalf of the police department and the department heads, that working with Jay Henry had been a great experience. He explained that the City Manager had moved in at a good pace and they wished to express their gratitude for the last year going so well. He added that he understood why the City Manager was leaving, and he wished him the best.

**The meeting adjourned at 8:15**

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**Mayor Lou Marchello**

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