

**POLSON CITY COUNCIL MEETING MINUTES  
CITY HALL COUNCIL CHAMBERS  
MONDAY, AUGUST 7, 2006, 7:00 P.M.**

**ATTENDANCE:** City Council Present: Bruce Agrella, Mark MacDonald, Jules Clavadetscher, Tom Corse, Fred Funke, City Attorney James Raymond, Mayor Ingram Presiding. Absent: Councilman Mike Lies.

**OTHERS PRESENT:** Robert Lajoie, Rory Horning, Jim White, Ken Siler, Sue Taylor, Jan Niemeyer, Jack Cross, Dennis Duty, Doug Chase, Cindy Willis.

**1. CONSENT AGENDA:**

- A. CITY COUNCIL MEETING MINUTES JUNE 29, 2006 AND JULY 17, 2006
- B. RESOLUTION #932 – ANNEXATION - 1903 HILLCREST DRIVE (7<sup>TH</sup> AVE. E.) PETITIONED BY OWNERS TOM AND MARSHELL FOX
- C. RESOLUTION #933 – ANNEXATION – HILLCREST DRIVE (7<sup>TH</sup> AVE. E.)
- D. HIRE BUILDING & PLANNING ASSISTANT - CORA PRITT @\$8/HR WITH \$.50/HR INCREASE UPON SATISFACTORY COMPLETION OF SIX MONTH PROBATION
- E. POLICE OFFICER TRAVIS SCHEIBE – PERMANENT STATUS @\$15.05/HR
- F. POLICE TRAINING – DOUG CHASE – MONTANA IDAHO FBI CHAPTER COEUR D’ALENE, IDAHO – SEPT. 25-26
- G. POLICE TRAINING – LEVI READ – FTO SCHOOL – BILLINGS – AUG. 21-23
- H. PLANNING TRAINING – JOYCE WEAVER - MAP CONFERENCE – CHICO HOT SPRINGS, PRAY, MONTANA – SEPT. 11-13
- I. RESCHEDULE FIRST MONDAY’S COUNCIL MEETING TO WEDNESDAY, SEPTEMBER 6, DUE TO LABOR DAY HOLIDAY ON MONDAY SEPTEMBER 4.
- J. JULY 2006 CLAIMS #92628 to #92374 for \$222,541.97

**Motion made by Councilman Corse seconded by Councilman Funke to approve consent agenda items A thru J as presented.** Mr. Horning would like people to be quoted verbatim. He requested that the minutes be revised on what he had said at the last meeting. He feels things are being taken out of context. He is told the city's minutes are not verbatim. Rory feels they could be and it would help establish the context, unless the taped minutes are put on the website. He said for historical reasons they should be. Mayor Ingram said it is typical for almost every community in Montana not to quote verbatim. Mr. Horning said there are things this council does that are not typical of every other community and not exactly legal either. Mr. Horning is called out of order and given three minutes at end of meeting. **Motion carried unanimously.**

**LIFT SINGLE FAMILY DESIGNATION – COMMUNITY HOUSING ORG. FOR LOTS AT 10<sup>TH</sup> AVE. E. & 11<sup>TH</sup> ST. E. (S/W CORNER) IN MRZD ZONING.** Jan Niemeyer stated it was suggested by the Council several months ago that he go to the Board of Adjustments for a variance regarding this project. Mr. Niemeyer said he had done just that and has been granted approval by BOA. He has also received a special use permit from the City/Council Planning Board. The DEQ has also given their ok for multifamily housing. Mr. Niemeyer asked council to lift single family housing designation to multifamily housing. **Motion was made by Councilman MacDonald, seconded by Councilman Clavadetscher to lift single family designation requested by Community Housing Organization for lots at 10th Ave E. & 11th St. E. Motion carried unanimously.**

**NORTHWEST HOLDINGS’ AGREEMENT LETTER FOR WELLS ON OLD PACK RIVER MILLSITE & HKM ENGINEERING’S PROPOSAL FOR IRON AND MANGANESE REMOVAL.** Councilman Clavadetscher feels the appropriate next step would be to do the feasibility testing on these wells. **Motion made by Councilman Clavadetscher, seconded by Councilman Corse to hire HKM Engineer for feasibility tests on Pack River Millsite Wells.** Elsa Duford asked about an estimated cost for the treatment plant. She was told the feasibility tests would present that cost to the city. Rory Horning would like to know how much would be out of pocket \$ from the people of the city for this study. He is told the study will be 10 to 12 thousand dollars. **Motion carried unanimously.** Elsa Duford asked Council how would the treatment plant be paid for? Increased water rates, property taxes? How? Mayor Ingram said user fees, impact fees, hook-up fees and possibly grants.

**AUTHORIZE ADVERTISEMENT FOR COMPLETION OF WESTANA IMPROVEMENTS ESTIMATED COST TO CITY IS \$75,000.** City Engineer, Bob Fulton said this item has been approved by motion to proceed, he asked for a sense of how to proceed.

Who to do work? Everyone is very busy and last advertisement for bids only two came in. If we want this project done soon the cost will be more. Later prices will go up on supplies. Mr. Fulton wants to know if the Council is comfortable with having the money to pay contractor, around 80 thousand dollars. When would the Council like this project to be started/completed. Quickly or wait till next spring. Mayor Ingram stated there is reserves in the General Fund. There are hopes to call upon the Bond that Westana presented. That would be reimbursed, but would initially fund the project. It is said that litigation has proceeded. Councilman Corse said the work needs to be done to establish a price for litigation and work needs to be done sooner than later. Councilman Corse states this fall would be good. Councilman Clavadetscher asks about increase in cost opposed to earlier than later. 10% to 50%? Mr. Fulton said he is not sure, and local contractors are very busy. Hillcrest Sewer project was very straight forward and only two bids came in. He said there aren't very many pavement contractors around this area and they are very busy. City Attorney, James Raymond stated that the fixed basis would only be need in conclusion of litigation. Mr. Fulton said just for the Councils information; in the design the end of the road is a straight squared off road. The intention at the time, he believes, was that the road would be extended to Cougar Ridge. At this time it is not going to be and at this time there is no legitimate turn around. Mayor Ingram asked Mr. Fulton if he wanted a Motion and he stated no just a sense of council and would proceed with bids.

**HILLCREST SEWER EXTENSION PROJECT CONTRACT - AUTHORIZE DELETION OF PAVING PORTION (\$28,941) - DUE TO THE NUMEROUS CONNECTIONS ANTICIPATED.** City Engineer, Bob Fulton stated that there would be increased costs on this project. One extra manhole and original grade w/fiber optic line was suppose to be at 6ft, however was 7.5ft. Mr. Fulton also expressed the need to hold off on paving Hill Crest/7th Ave. due to numerous hook-ups that would be done over the next few months, Council agreed. Bob stated that the overall change order would be on the next council agenda deleting the paving portion.

**\$190/MO TO PLACE HISTORICAL MINUTES, RESOLUTIONS & ORDINANCES ON LINE.** Council feels the need vs. cost is not justified; no motion made issue dies for lack of motion.

**DISCUSSION OF FIREWORKS ORDINANCE.** Jack Cross felt the City of Polson's Fourth of July fireworks show was a great success this year. He said when he was on the Council quantifying the effect of decisions that were made was difficult. Mr. Cross said sales to his fireworks stand were down 20 thousand dollars. Clinkenbeards were down significantly, George Mahoney was down wouldn't say how much but was down. He is not sure how Roy Rogers/Hong Kong Harrys did, but he feels the 20 thousand was not picked up by that business. Mr. Cross said Ronan sales doubled. Sales in Kalispell were up 42%, Bluebay up 22%, Bitterroot Valley and every other town except Columbia Falls were up. He feels that the Ordinance had a direct impact. Mr. Cross asked Police Chief if complaints were down and a print out would be available for his review later in the week. It was discussed to review Ordinance #620 in the spring.

**DISCUSSION ITEMS NOT ON THE AGENDA :** **Rory Horning** asked council about an expert that was here on Government last week regarding the Gov. Review commission. He stated that council had said Polson is not a Charter form of Government. Since Polson doesn't have a City Charter form, we are under Montana Code Annotated, because we are under Montana code annotated we can't borrow from a city that has a Charter form of government. Mr. Horning asked "do we have a City Charter or do we go by Montana Code Annotated". Mr. Horning said if Polson is not a Charter form than he feels the Ethics Ordinance should not have been adopted by Polson. **Jack Cross** expressed to the Council what an exceptional job the City Fire Department had done this year. He said "the boys" really know what they are doing and they did their homework. When the show was over they went around, cleaned up and I am very impressed with the response that they gave to us. Thank You. **Rory Horning** stated as far as the mayor's salary he would like to know what specific Ordinance was used to put it thru budget/resolution. Mr. Horning asked for this in writing on letterhead.

**Meeting adjourned 7:40 p.m.**

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**Randy Ingram, Mayor**

**ATTEST:** \_\_\_\_\_  
**Beth Smith, Assistant City Clerk**