

**POLSON CITY COUNCIL MEETING AGENDA  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, SEPTEMBER 5, 2007, 7:00 P.M.**

**ATTENDANCE: City Council: Bruce Agrella, Mark MacDonald, Tom Jones, Mike Lies, Tom Corse, Fred Funke. Mayor Jules Clavadetscher presiding. City Manager Jay Henry present. City Attorney James Raymond present. Others Present: John Schnase, Nathan Pierce, Karen Sargeant, Tim Dolphin, Barb Dolphin, Jerry Raunig, Helen Raunig, Lonnie Erickson, Lee Manicke, Lou Marchello, Jim Sohm, Mike Roberts, Doug Chase, Rod Hanson, Sharon Hanson, Mark Nunlist, Sue Taylor, Dennis Duty, Mike Ferguson, Evelyn Henry, Robert Gauthier, Dick Banghart, Tony Porrazzo, Joan Hart, Elsa Duford, Murat Kalinyaprak, Marilyn Trosper, Bonnie Manicke, Earl D. Coriell.**

**Pledge of Allegiance and Mayor Jules Clavadetscher called the meeting to order.**

**APPROVAL OF PROPOSED AGENDA: Motion made by Councilman Corse to approve the agenda as presented, excluding item number four relating to the construction of a Golf Course Cart Path. Motion seconded by Councilman Funke. Motion carried unanimously.**

**CONSENT AGENDA**

- A. CITY COUNCIL MEETING MINUTES OF AUGUST 20, 2007**
- B. CITY COUNCIL MEETING WORK SESSION MINUTES OF AUGUST 17, 2007**
- C. CITY COUNCIL MEETING PUBLIC HEARING MINUTES OF AUGUST 29, 2007**
- D. TRAINING – MONTANA COURT OF LIMITED JURISDICTION FALL CONFERENCE  
JUDGE DOUG OLSON – OCTOBER 1 – 4 – BUTTE \$415.90 - COURT**
- E. TRAINING – MONTANA COURT OF LIMITED JURISDICTION FALL CONFERENCE  
COURT CLERK JOAN (RODRIGUEZ) HART \$249.20 - COURT**
- F. TRAINING – NORTHWEST GANG INVESTIGATORS CONFERENCE  
OCT. 9-12 – MISSOULA – CLINT COTTLE & WADE NASH - \$1,302.64 - POLICE**
- G. TRAINING – CHILD ABUSE – SEXUAL EXPLOITATIONS – OCT. 29-NOV.2 – PORTLAND OREGON – ALAN BOOTH - \$161 – POLICE**
- H. WAIVER OF OPEN CONTAINER – POLSON FAIRGROUNDS – ROTARY CHILI COOKOFF SEPTEMBER 15 – ROTARY MEMBER JULES CLAVADETSCHER**
- I. \$3,000 DONATION BY LOWER FLATHEAD VALLEY COMMUNITY FOUNDATION FOR THE TRAVIS DOLPHIN MEMORIAL DOG PARK – MARK MACDONALD**
- J. FLATHEAD FEST-OF-ALL PET PARADE – SEPTEMBER 15 1:30 TO 2:30 P.M. START AND END AT CHERRY VALLEY SCHOOL VIA MAIN STREET – SUE TAYLOR**
- K. AUGUST 2007 CLAIMS**

**Motion made by Councilman MacDonald to approve the consent agenda items A through K and allow for speakers to provide additional information on item I. Motion seconded by Councilman Agrella. Motion approved unanimously.**

**\$3,000 DONATION BY LOWER FLATHEAD VALLEY COMMUNITY FOUNDATION FOR THE TRAVIS DOLPHIN MEMORIAL DOG PARK – FVCC BOARD MEMBER MARK MACDONALD:** Bob Guathier, presented the \$3,000 check, from the Flathead Valley Association, to Jonathan Crosby, for his Boy's Scout project to establish a leash free park at the Travis Dolphin Memorial Dog Park. Bob Gauthier expressed his appreciation to the City of Polson for honoring his son in law who died of a brain tumor. Dedicating this park in his name and developing it into a dog park is very appropriate because Travis loved dogs. Travis Dolphin's parents shook Jonathan's hand and expressed their appreciation for his efforts in creating this dog park in their son's name. The check was given to the City of Polson to be deposited into the City's dog park fund (2213).

#### **OLD BUSINESS**

**GOLF COURSE CART PATH CONSTRUCTION ALONG 18<sup>TH</sup> FAIRWAY – RECOMMENDED BY THE GOLF BOARD AS IDENTIFIED IN THE LONG RANGE PLAN PREVIOUSLY APPROVED BY THE CITY COUNCIL.** This item was removed and tabled until a future meeting.

**LEASE AGREEMENT BETWEEN THE CITY OF POLSON SEWER DEPARTMENT AND THE BOYS & GIRLS CLUB OF THE FLATHEAD RESERVATION & LAKE COUNTY:** Mark Vergeront asked Council to finalize the lease agreement, because they have a pending buy sell agreement and need to have a decision from the City. Councilman Corse referred to the letter from the Boys and Girls Club, in which they stated their requests of the City regarding the lease of the property. The City Attorney provided written comments for Council to consider and the committee agreed they would vote on the issue at the next council meeting. Mark Nunlist said they assumed Council would vote on the issue tonight and asked if Council have any questions or issues. Mayor Clavadetscher clarified that the contract language has to be prepared before Council can vote on it. Mark Nunlist and John Schnase expressed their concern that the contract might not be completed within their required timeframe. The review committee agreed to meet on Thursday, September 6 at 1:00 p.m. at City Hall to prepare a lease agreement to present for Council approval at the September 17<sup>th</sup> City Council Meeting.

#### **NEW BUSINESS**

**RIDGEWATER SUBDIVISION – APPROVE ONE YEAR EXTENSION OF PRELIMINARY PLAT - DENNIS DUTY:** Motion made by Councilman Corse to approve a one year extension of the preliminary plat for the Ridgewater Subdivision as requested by Dennis Duty. Motion seconded by Councilman Funke. Motion carried unanimously.

**APPROVAL OF 07-08 GOLF FEES - ROGER WALLACE:** Roger Wallace gave a review and reasons why he and the Golf Board are proposing this rate increase for golf fees which he provided to Council in written form. The additional revenues would be used for capital projects. Councilman Jones suggested that they use the

replacement depreciation fund to save for those projects. Roger Wallace explained that they tried to implement a savings plan but it was cut in previous years. Council discussed prior year increases and revenues. Councilman Funke felt the golf rates should be kept reasonable, affordable and not competitive since it is a municipal golf course. Councilman Lies stated that he received complaints from people that they couldn't afford to play golf if the prices keep increasing. Councilman Corse stated that the proposal is based on consumer price index, which is the least amount of increase and would allow the golf course to at least break even. Motion made by Councilman Jones to table the increased golf rate proposal until the Council has time to review and discuss their concerns with the Golf Board. Motion seconded by Councilman Funke. Murat Kalinyaprak gave information on his research about the golf rate increases over the years and the effect it had on the revenues, which resulted in a decrease in memberships. Motion carried. Councilman Corse and Mayor Clavadetscher opposed.

**APPROVAL OF FY07-08 CAPITAL FACILITIES AND IMPACT FEE PLAN:** Mayor Clavadetscher informed Council that this plan was presented to Council several months ago and is not a fixed commitment but a plan for capital expenditures when the revenue from impact fees are received. It establishes priorities for capital improvement projects for the City as a whole. Motion made by Councilman Lies to approve the FY 07-08 Capital Facilities and Impact Fee Plan as proposed. Seconded by Councilman Agrella. Nathan Pierce asked that Council give the Impact Fee Committee an opportunity to review the plan and advise Council, per State statute, before they adopt the proposed plan. Motion carried unanimously.

**RESOLUTION # 950 – ADOPT BUDGET AND SET MILL LEVIES FOR FY07-08:** Mayor Clavadetscher clarified the date of the public hearing on the preliminary budget, as referenced in the resolution, was Wednesday, August 29<sup>th</sup>. Motion made by Councilman Lies to approve Resolution #950 adopting the budget as proposed and set the mill levies for FY07-08. Motion seconded by Councilman Funke. Motion carried unanimously.

**SELECTION OF AUDITOR FOR FISCAL YEARS ENDED JUNE 30, 2007, 2008 AND 2009 -**

**PROPOSALS RECEIVED: RON FOLTZ \$57,400 AND JOSEPH EVE \$55,000 – REQUEST TO APPROVE A THREE YEAR CONTRACT W/AUDITOR:** City Treasurer Bonnie Manicke gave a report on the results of the solicitation for the City's audit contract. She noted that the City Attorney and City Manager reviewed the two responses and they concurred with the City Clerk and her recommendation to hire Ron Foltz, who did the City's audit several years ago. She explained the reason for the increased cost is that there are new requirements for auditing which add additional time to prepare to prepare the audit. Motion made by Councilman MacDonald to approve a three year contract with Ron Foltz, and accept his proposal to prepare the FY ending 2007, 2008 and 2009 audit reports for \$57,400. Motion seconded by Councilman Agrella. Motion carried unanimously.

**AUTHORIZE CITY MANAGER TO DRAFT LETTER TO MONTANA DEPARTMENT OF TRANSPORTATION REQUESTING SPEED LIMIT CHANGE FROM 45 MPH TO 35 MPH ON HIGHWAY 93 IN THE VICINITY OF**

**SHORELINE DRIVE:** City Manager Jay Henry referred to a letter dated July 2007 from Al Suneson, resident of Shoreline Drive, requesting that the City contact the Highway Department to reduce the speed limit on Highway 93. Eleven petition signatures and a letter of support from Police Chief Doug Chase were provided. He asked Council to authorize him to write a letter to MDOT making that request. Council discussed the need to extend the reduced speed on Highway 93 to Rocky Point Road. Motion made by Councilman MacDonald to authorize City Manager Jay Henry to write a letter to the Highway Department requesting a change in speed limit on Highway 93 to Irving Flats Road to 35 mph with a request for a stop light or signal at the intersection of Regatta Road and Highway 93. Motion seconded by Councilman Lies. Mark Nunlist, a resident of Rocky Point Road, spoke in support of the reduced speed stating safety concerns and relating near misses he has experienced on that stretch of highway. He suggested a gradual decrease to 35 mph starting at the bottom of the hill to Jette Lake. John Heglie, resident of Shoreline Drive expressed his support of the reduced speed noting that some time ago the speed limit was 35 mph but was recently changed. Motion carried unanimously.

**AUTHORIZE MANAGER TO SCHEDULE A LOCAL GOVERNMENT WORKSHOP WITH LOCAL GOVERNMENT ASSOCIATES, INC. :** City Manager Jay Henry asked Council approval to schedule a workshop in November after the election of four new council members. The workshop would also provide information on the City's new charter form of government. He contacted Ken Weaver, Director of Local Government Center at MSU to facilitate the workshop, stating that he is well qualified. The cost is approximately \$1,420 including travel expenses. Motion made by Councilman Jones to authorize City Manager Jay Henry to schedule a workshop on November 17 for the Council and Mayor at a cost of approximately \$1,420. Motion seconded by Councilman Agrella. Elsa Duford mentioned that the Local Government Study Commission was given books on the new charter form of government, which was kept in Mayor Ingram's office. She suggested that it would be helpful if they review the books before the workshop. Murat Kalinyaprak questioned the necessity of spending \$1,420 for the workshop and recommended looking into training different ways that would cost less. Motion carried unanimously.

**OPTION FOR CITY TO CONDUCT NOVEMBER 2007 ELECTIONS BY MAIL BALLOT:** Mayor Clavadetscher explained that the Elections Administrator Kathy Newgard provided the City with information on its option to hold a mail ballot election which historically provides a better turnout and would not be significantly higher in cost. Motion made by Councilman MacDonald to approve a mail ballot election for the November 2007 election. Seconded by Councilman Lies. Lee Manicke expressed his concern about the proposed mail ballot, stating that more turnout isn't always better and for a number of reasons questioned the quality of votes that would be cast with a mail in ballot. He noted that absentee ballots are available for those who want to vote by mail or unable to physically go to the polling station. He related negative experiences he had with the mail ballot for the recent school issues. He spoke in favor of the voting booth procedure, which doesn't allow for manipulation the way that a mail in ballot would. Mike Ferguson agreed with Lee Manicke's arguments against the mail in ballot because you can't be sure who fills in the ballot. Councilman Corse expressed his concern that there is no

validation of signatures on the mail ballot like they have at the polls. Voting is a privilege and should be exercised in person or by absentee ballot. Motion failed. Mayor Clavadetscher, Councilmen MacDonald and Funke voted in favor. Councilmen Jones, Corse, Agrella, and Lies, opposed.

**PUBLIC COMMENTS:** On behalf of himself and the Department Heads, Police Chief Chase thanked the Mayor, City Clerk and City Treasurer for their time and effort in preparing this year's budget.

Tony Porrazzo, Water and Sewer Superintendent, thanked Mayor Clavadetscher and the City staff for their hard work in putting this year's budget together, which created a new challenge with the impact fees in place.

Nathan Pierce invited everyone to attend the public display of the Main Street project, to be held on Thursday, September 5<sup>th</sup>, 5:30 p.m. to 7:00 p.m at the Glacier Bank Drive thru parking lot on Main Street.

Mike Roberts, PARC, explained that they have been working on developing a walkpath from the High School, Grenier Lane to the Skate Park facility on 7<sup>th</sup> Avenue via the platted ROW for 6<sup>th</sup> Street West. They have contacted the Tower Family, the property owners who voted to veto their proposal. He assured Council that they are not giving up and will continue to pursue developing that walkpath next year.

**CITY MANAGER JAY HENRY'S COMMENTS:** City Manager Jay Henry stated that he is finding it challenging to communicate with the City Council and the public. In an effort to encourage communication he will schedule a meeting with the press and the public on each Friday prior to the City Council Meetings where he will give information on the agenda items.

Meeting adjourned at 8:22 p.m.

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Jules Clavadetscher, Mayor

ATTEST: \_\_\_\_\_  
Aggi G. Loeser, City Clerk