

**POLSON CITY COUNCIL MEETING MINUTES  
CITY HALL COUNCIL CHAMBERS  
MONDAY, SEPTEMBER 17, 2007 7:00 PM**

**ATTENDANCE:** Bruce Agrella, Mark MacDonald, Tom Jones, Mike Lies, Tom Corse, Fred Funke, Mayor Jules Clavadetscher presiding. City Manager Jay Henry and City Attorney James Raymond present. **Others Present:** Rita Moldenhauer, Brian Moldenhauer, SuzanneSyziny, Janice Lindsey, Leslie Wood, Dan Morrison, Johna Morrison, Mike Ferguson, Nathan Pierce, Nathan Lucke, Lee Manicke, Andrea Morse, Michael Weivoda, Bonnie Manicke, Fred Innerbichler, Mark Nunlist, Tony Porrazzo, Ethan Smith, Rory Horning, David Devore, Elsa Duford, Doug Chase, John Schnaze, Linda Sappington, Murat Kalinyaprak.

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

**APPROVAL OF PROPOSED AGENDA:** Motion made by Mike Lies to approve the agenda as proposed. Mark MacDonald seconded the motion.

**CONSENT AGENDA:**

- A. CITY COUNCIL MEETING MINUTES OF SEPTEMBER 5, 2007/X**
- B. TRAINING - NON CONFRONTATIONAL INTERVIEW & INTERROGATION - ALAN BOOTH - BOZEMAN, MT - DEC 4-6 - \$749.96**
- C. TRAINING - CRISIS INTERVENTION - OFFICERS CLINT COTTLE, ALAN BOOTH, WADE NASH, & CHRIS WRIGHT - POLSON, MT - OCTOBER 13 & 14 - \$25/EA**
- D. PERMANENT STATUS/ WAGE INCREASE \$.50/HR ANIMAL CONTROL/EVIDENCE ROOM TECHNICIAN CHANCEY ANDERSEN - SIX MONTH PROBATIONARY PERIOD COMPLETE**
- E. ACCEPT RESIGNATION OF TRAVIS SCHEIBE EFFECTIVE SEPTEMBER 30, 2007 - HIRING OF JOHN TODD AS PROBATIONARY PATROLMAN \$16.05/HR W/1 YEAR PROBATIONARY PERIOD**
- F. TRAINING - LIBRARY FALL WORKSHOPS - KASSANDRA SMITH - LEWISTOWN, MT - SEPT 28 & 29 - \$504.18**
- G. APPLICATION FOR TRANSFER OF OWNERSHIP FOR POLSON BEER, WINE & LIQUOR (FORMERLY KNOWN AS A-Z BEER, WINE & LIQUOR, 6913 EAST SHORE ROUTE, POLSON) 202 2ND STREET EAST**
- H. TRAINING - BOOK BLITZ II - BOZEMAN, MT - MARILYN TROSPER - OCTOBER 8 & 9 - \$690.56**
- I. TRAINING - 12TH ROCKY MOUNTAIN INTERNATIONAL READING ASSOCIATION CONFERENCE - TRUDE HUNSUCKER - BILLINGS, MT - OCT 18 & 19 - \$719.25**

Mayor Clavadetscher pointed out to the Council that both the library and police training on the consent agenda would not be coming out of the general fund. Tom Corse questioned the address on item G, noting that it was possibly on an avenue. Bruce Agrella agreed with Councilman Corse. Tom Corse motioned to accept the consent agenda with a verification of the address on item G. Mark MacDonald noted that on the September 5 minutes there was a misprint in which he was counted as voting both for and against. He explained that he had voted for the item and Councilman Agrella was the missing vote against the item. Tom Corse amended his motion to include the minute's correction. Fred Funke seconded the motion. The motion passed unanimously.

**APPROVAL OF THE 07-08 GOLF FEES:** Tom Corse moved to accept the proposed green fees. Tom Jones seconded the motion. Rory Horning asked the Council to tell the public the Green Fees. Mayor Clavadetscher explained that the Green Fees were in the packet and that they were available. Murat

**Kalinyaprak** inquired as to what happened to yearly pass fees. **Tom Jones** explained that those had not been decided upon yet due to scheduling problems with the committee. **Murat Kalinyaprak** mentioned that he was glad the Council had not simply approved the fees at the last meeting. **The motion passed 5-2. Mayor Clavadetscher, Tom Jones, Bruce Agrella, Tom Corse and Mike Lies** voted in favor. **Fred Funke and Mark MacDonald** voted in opposition.

**LEASE AGREEMENT BETWEEN THE CITY OF POLSON SEWER DEPARTMENT AND THE BOYS & GIRLS CLUB OF THE FLATHEAD RESERVATION & LAKE COUNTY:** **Tom Corse** explained that a Council appointed committee that included himself, Councilman MacDonald and **Lies** had worked with the Boys and Girls club to negotiate an agreement for the use of the Meridian building, adding that they had met three times to hammer out the details. He informed the Council that the present owners would assign the lease rights to the Boys & Girls Club for the same period as the lease was before, 25 & 25 years with renewal on the second term. He reported that the rate would be one dollar per year with a clear understanding that if the City had to use the property for the public health, welfare or safety, namely the expansion of the sewer or waste water treatment requirements. The City would have a minimum of one year notice of termination and the first right of refusal to purchase the Meridian building. He advised the property size was 2.5 acres with the understanding that there would be no construction outside those 2.5 acres. He stated that if the Boys & Girls Club chose to rent or use the property to generate income, the portion cannot exceed 50%, with 75% going to the Boys & Girls Club and 25% to the City. He added that those amounts could be renegotiated with the Council and City Manager at a later date. He advised that the three Councilmen on the committee felt that the agreement was fair. He noted that the City would have an income loss of \$2,600 to the general fund per year due to property tax exception, and that the water and sewer department would lose \$18,000 in rent per year. He declared that the agreement with the Boys & Girls Club would be a huge commitment to the youth of the City of Polson. **Mark MacDonald** motioned to enter into the lease with the Boys and Girls Club. **Bruce Agrella** seconded the motion. **Tony Porrazzo** conveyed that he would like to add that here would be no other permanent structures on the 2.5 acres. **Tom Corse** advised that provision was included in the lease. **Johna Morrison** expressed that she was happy to hear that Polson's children could benefit, explaining that she thought it was unfair they had to go all the way to Ronan for a Boys & Girls Club. She added that \$2,600 in lost tax revenue didn't compare to changing a life. She implored the Council to vote for the lease agreement. **The motion to enter into a lease with the Boys & Girls Club passed unanimously.**

**NEXT YEARS VALLEY CRUISERS' CAR SHOW TO INCLUDE A CAR CRUISE:** **Jack Bishop** presented the Valley Cruisers' proposal for a car cruise on Friday and Saturday of next year's car show. He explained that they would welcome police aide and supervision, making it a very calm situation. He reported that the path for the cars would not cross 7<sup>th</sup> Avenue or Highway 93. He added that on Friday the car cruise would go for 2 hours from 2<sup>nd</sup> Street to Main and 3<sup>rd</sup> Avenue to 6<sup>th</sup> Avenue. He added there would be a DJ live on the radio and live music playing. He noted that there were residential areas within the path. He explained that there would be club members on corners to let people in and out of their homes. He continued to explain that on the 9<sup>th</sup> the Cruisers would like to secure Riverside Park from 6-10 with some food vendors, adding that they would like the parking reserved for expensive cars. **Police Chief Doug Chase** advised the Council that the Car Cruise around the business district would be an experiment. He explained that before he would approve of the idea he would like to study maps and make sure that emergency services would have proper access to the area. He added that the Valley Cruisers had always worked well with the City in the past. **Jack Bishop** conveyed that the Cruisers would like to recruit some police officers to ensure the safety of the cruise. **Doug Chase** expressed that one of his suggestions would be a couple extra officers during the cruise. **Tom Corse** stated that he was unfamiliar with the concept of a car cruise. He asked if the cars would be driving for the whole 2 hours. **Jack Bishop** replied that they would be in control constantly moving at about 10 miles/hour. He noted that on the provided map there was a double lane of the cars

moving in the same traffic, adding that on Friday parking would not be affected but on Saturday they would like the streets clear for the cruise. **Tom Corse advised that the noise of the cars could be an issue in the residential area.** **Jack Bishop** replied that the Cruiser's would not be allowed to do anything more than the leisurely cruise, and if they disobeyed the Police would be on hand to enforce the law. He explained they did have a 1 million dollar insurance policy. **Mayor Clavadetscher asked if the Cruise would be moving along following traffic lights and stop signs.** **Jack Bishop** replied that they would be moving in a continuous line without stopping. **Mayor Clavadetscher asked if they would have people to stop the car line to allow for traffic to cross the streets.** **Jack Bishop** replied that they were proposing to close those streets off for two hours. **Fred Funke mentioned that in the past they've done an excellent job and expressed that they've done well in the past. He added that he'd seen a smoothly run car cruise before.** **Jack Bishop** replied that he'd seen them go poorly before so it was a priority to make Polson's a success.

#### **REQUEST FOR INCREASE IN ALLOWABLE CONNECTIONS TO CITY WATER & SEWER:**

**Nathan Lucke**, speaking in Paul and Carlisa London's absence, explained that the KOA campground was imploring the Council to increase their amount of allowable connections so that they may continue with expanding their campground to an RV condominium project. He reported that they had equated RV connection use to residential at 2-1 and asked the Council to increase the amount of allowable connections for the KOA from 35 to 70 per year. **James Raymond** advised the Council that Ordinance 596 mandated a limit of 30 residential taps per year per developer. However, he stated that in the existing ordinance there is a clause in which the Council reserves the right to ignore this limitation in particular cases in the public interest. **Tom Corse motioned to accept the increased allowed connections in accordance with their ability to do so under Ordinance 596.** **Mark MacDonald** seconded the motion. **The motion passed 5-2.** **Mayor Clavadetscher, Mark MacDonald, Bruce Agrella, and Tom Corse** voted in favor. **Tom Jones and Mike Lies** voted in opposition.

**PROPOSAL FOR IMPACT FEE REVEIEW COMMITTEE, CONSISTING OF MIKE LIES, MARK MACDONALD AND NATHAN PIERCE, TO INCLUDE CITY MANAGER JAY HENRY:** **Mark MacDonald** motioned to include Jay Henry on the Impact Fee Review Committee. **Mike Lies** seconded the motion. **The motion passed unanimously.** **Mayor Clavadetscher** asked the Council to address the Impact Fee Advisory Committee as to whether or not it should continue and what role it should play should it continue. **Mark MacDonald** motioned to have the Impact Fee Review Committee meet and discuss the Impact Fee Advisory Committee to determine its role and advise the Council. **Mike Lies** seconded the motion. **The motion passed unanimously.**

**AUGUST 2007 CASH REPORT:** **Bonnie Manicke** reported that the August cash report had normal activity with semiannual debt service payments for the 2003 fire engine of \$17,302 and the golf cart payments of \$6,499.15. She stated that the total cash value of the City of Polson was \$4,480,282.89, which balanced with the investments. **Mark MacDonald** motioned to accept the August 2007 cash report. **Fred Funke** seconded the motion. **The motion passed unanimously.**

**REPORT OF INTEREST EARNINGS FY '06-'07:** **Bonnie Manicke** advised the Council that between 05-06 & 06-07 there was an increase in earnings of \$43,636 with the total interest earnings for 06-07 at \$211,997.39 reflecting a cash basis. She imparted that the earnings where government issues at 5.66%, First Citizens Bank at 35.66%, First Interstate Bank at 13.47%, and Glacier Bank at 45.21%. She explained that Glacier Bank was the City's operating account, with the most current rate being 5.07%. She reported that the number one objective of the investments policy was the safety of principle; the second objective was maintaining cash flow, and third local consideration to attain market rates are returned. **Mark MacDonald** extended his gratitude to Bonnie for her savvy investments. **Mike Lies** motioned to accept the report of interest earnings for the fiscal year 06-07. **Fred Funke** seconded the motion.

**DEBT SERVICE REPORT:** **Bonnie Manicke** informed the Council that the City does not have any general obligations bonds. However, she explained, the City does have the golf revenue bond, which after the October 1, 2007 payment the principle will be at \$980,000 with a debt service after 10 years of \$1,288,460.25. She added that the final payment in October of 2018 is provided by the cash balance in the golf revenue bond reserve fund. She noted that the revenue bonds are not an obligation of the general public, but they are satisfied by their department specific funds. She directed attention to the special improvement district bonds, of which there are two presently open. She pointed out that special improvement sanitary sewer system district #38 had an outstanding balance of \$12,500 and would sunset on June 11, 2011. She instructed the other was SID 39, resurfacing and repaving of Hillside Court, with an outstanding balance of \$8,684.73 would sunset May 31, 2010. She observed that two SID's had sunset, SID 35 on Bayview & and SID 36 on Skyline #3. She mentioned that there had been positive projects completed using the sidewalk loan fund. **Mayor Clavadetscher advised that the City does not charge administrative fees for the SID's and mentioned that City should consider implementing some sort of fee.** **Bonnie Manicke** expressed her agreement with the Mayor on instituting an administrative fee.

She **advised** the Council that there were 2 promissory notes remaining. She advised the first was the fire truck, which had 3 1/2 years remaining at 3.72% with an outstanding balance of \$112,534.32. She continued to explain that the second promissory note was for the 20 new golf carts, which had 3 years remaining at 3.725% and an outstanding balance of \$36,568.25. She summarized to the Council the City's total indebtedness was \$1,153,892.53. **Mike Lies motioned to accept the debt service report. Bruce Agrella seconded the motion. The motion passed unanimously. Mayor Clavadetscher observed that the debt service report was a valuable tool for the City and serves the Council well now and in the future.**

**INVESTMENTS OF PUBLIC FUNDS:** **Bonnie Manicke** advised the Council that she had purchased a certificate of deposit at 1st Citizens Bank for \$675,000 at 5.48%. She provided the other bids of Glacier Bank at 4.85%, Community Bank at 4.15%, and 1st Interstate Bank at 3.75%. She reviewed the comparisons of the Treasury Bill Yield in May 2008 maturity at 4.285%, the Agency of U.S. Government in May 2008 maturity at 5.013%, and the nationwide jumbo C/D at 5.37%. **Mike Lies motioned to accept the investment of public funds. Mark MacDonald seconded the motion. The motion passed unanimously.**

**RESOLUTION #951 – INTENT TO CREATE LIGHTING DISTRICT IN ISLAND VIEW DRIVE SUBDIVISION:** **Fred Funke motioned to approve creating a lighting district in the Island View subdivision. Bruce Agrella seconded the motion. Motion passed unanimously.**

**RESOLUTION #952 – INTENT TO CREATE LIGHTING DISTRICT IN WOODBINE SUBDIVISION:** **Tom Jones motioned to approve creating a lighting district in the Woodbine subdivision. Mark MacDonald seconded the motion. Dan Morrison** imparted to the Council that most of the residents of Woodbine were vocally opposed to the lighting district and encouraged the Council to vote against the action. **Johna Morrison** expressed to the Council that she was taken aback by the maps and figures, explaining that many residents who had voted for the lighting district were unaware of exactly what kind of lights they were voting for. She conveyed that she felt safer in the dark and did not want to have to put curtains over her windows at night. She felt that the bright, tall streetlights were eyesores on the night horizon, and explained that many cities had passed dark sky protection ordinances pertaining to light pollution. She reported that streetlights would not make the area safer; noting that her family had not experiences much theft. **Janice Lindsey** expressed her opposition to the streetlights. She recounted that only 28% of the residents had voted for the lights and ascertained that Woodbine residents did not want streetlights. **The motion failed with no votes in favor.**

**CITY MANAGER COMMENTS:** Jay Henry informed the Council that in 2009 or 2010 the Montana Department of Transportation would be closing the bridge on Highway 93 for resurfacing. He reported that it would be 2-3 months of traffic disruption, with one lane for traffic to cross at a time with flaggers. He added that they are in the process of getting the MDOT spokesman out talking to the public and local business owners. **Tom Corse asked if they would paint the bridge at the time.** Jay Henry replied they would paint the railings. He imparted that Anderson Montgomery Consulting Engineers would be immediately beginning a preliminary design report for water system improvements, including options for construction of a new concrete storage tank, hydrant improvements to convalesce fire flow to the high school, water main improvements near the Skyline water storage tank, and evaluating the potential use of surface water. He explained that the City had just received a \$15,000 grant to begin a preliminary engineering review for storm water beginning next month. He advised the Council that as of September 17, Fire Chief John Fairchild had lifted stage II fire restrictions to stage I fire restrictions. He notified the Council that Gary Fletcher had filled the opening in the water department starting at \$9/hr. He reported that the street department would begin paving Hillcrest in early October.

**PUBLIC COMMENTS:** Fred Innerbichler thanked the Council for passing the lease agreement with the Boys & Girls Club and expressed that he was proud of the action they'd taken.

**Meeting adjourned at 8:30 p.m.**

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**Mayor Jules Clavadetscher**

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**Assistant City Clerk Kala Parker**