

**POLSON CITY COUNCIL MEETING MINUTES  
CITY HALL COUNCIL CHAMBERS  
MONDAY, OCTOBER 16, 2006, 6:30 P.M.**

**ATTENDENCE: COUNCIL PRESENT: Mark MacDonald, Jules Clavadetscher, Tom Corse, Mike Lies, Fred Funke, and City Attorney, James Raymond. Mayor Ingram presiding.**

**ABSENT: Bruce Agrella**

**OTHERS PRESENT: Ann Clavadetscher, Jim White, Ken Siler, Jack Cross, Dennis Duty, Bill Ingram, Jolanda Ingram, Rory Horning, Tony Porrizzo, Peter Daniels, Carol Daniels, Sandy and Donna Norman, Kim Wright, Kellen Wright, Tim McGinnis, David Conrad, Cindy Willis, Sue Taylor, Karen Sargeant, Linda Sappington, Ethan Smith, Nathan Pierce, Jackie Gripe, Brode Moll, Karen McMullen, Margie Hendricks, Murat Kalinyaprak, Doug Chase, Bonnie Manicke, Tom and Kim Maloney, Gerry Browning, Glenn Gordon, Dennis Anderson/KERR, Rod Hanson, Dan S. Morrison, and Kristin Smith.**

**6:32 P.M. PUBLIC HEARING**

**BUILDING AND PLANNING DEPARTMENTS' FEES PROPOSED INCREASES AND ADDITIONS:** City Planner/Zoning Official Joyce Weaver said these fee increases and additional charges were presented to the council back in August. All legal advertisements for these fees and additions have been completed. Mayor Ingram opened for public comments. There were no comments from the public.

**Public Hearing Adjourned 6:35 P.M.**

**7:00 P.M. COUNCIL MEETING**

**RECOGNITION OF POLICE OFFICER TRAVIS SCHIEBE - DEPUTY PAT O'CONNOR AND POLICE OFFICER CHRIS WRIGHT - REGARDING THE FIRE AT 707 SIXTH AVE. EAST:** Polson Police Chief Doug Chase thanked the Mayor, Council and members of the audience. He asked Lake County Under sheriff Jay Doyle and the Mayor to join him for the awarding of these certificates. He explained after the actions taken by these officers it would be recognized the interagency cooperation, because it is so exemplary and happens daily between Lake County Sheriffs Office, Highway Patrol, Tribal Officers, and the Polson Police Department. These officers did outstanding actions during an early morning fire on September 14th, 2006. These Officers were recognized for the cooperative spirit and the willingness to go the extra mile as a team. Polson Police Officers Travis Scheibe, and Chris Wright along with Lake County Deputy Pat O"Conner were presented there awards.

**CONSENT AGENDA**

**CITY COUNCIL MEETING MINUTES, OCTOBER 2, 2006**

**POLICE TRAINING – JOHN FAIRCHILD – OCT. 24 – HELENA \$200**

**JUDGES CONFERENCE – DOUG OLSON – NOV. 12 – HELENA \$321**

**Motion made by Councilman Clavadetscher, seconded by Councilman Funke to approve Consent Agenda as presented with one correction amended to the minutes of October 2, 2006 where the family was listed as Trust family, it is Trusler Family. Motion carried unanimously.**

**7<sup>TH</sup> AVE. SEWER EXTENSION PROJECT – REQUIRE OR WAIVE STREET CUT BOND**

**(\$2,500 CERTIFICATE OF DEPOSIT HELD FOR THREE YEARS)** Water/Sewer Superintendent Tony Porrizzo addressed council asking for formal approval to waive or not to waive Street Bond for 7th Ave East. Streets Superintendent, Rod Hanson said he felt waiving the Street Bond until the first of June 2007 would be fine. **Motion made by Councilman Corse, seconded by Councilman Lies to waive Street Cut Bond for 7th Avenue East until June 1, 2007.**

**WESTANA INFRASTRUCTURE COMPLETION PROJECT \*AUTHORIZE \$6,102.76 TO MISSION VALLEY POWER \*AUTHORIZE CHANGE ORDER TO INSTALL CABLE AND PHONE AND ELECTRICAL SERVICES TO LOTS 2 – 4 OF THE WESTANA SUBDIVISION \*DISCUSS CONDITIONS OF APPROVAL FOR FINAL PLAT FILING \*ADDRESS ISSUES IN LETTER FROM LARRY SMITH (OCT.4/06)** -City Civil Engineer Bob Fulton addressed council asking for a vote on issuing a check to MVP for Aid-to-Construction in the amount of \$6102.76, and the second part of the particular issue was the previous contractor neglected to call Century Tel and cable company, whom would have installed their utilities in the trench for free, now another trench has to be dug if these homes want to have utilities. Bob asked council for a change order to the original bid with Smith Paving & Contracting to dig out the ditch for utilities to be installed. Mayor asked council if they had any questions for Bob. Councilman Clavadetscher asked City Attorney, James Raymond if these costs being absorbed by the city would go into the legal negotiations with the bonding agent and developer? James' answer was that would certainly form a part of the damages. **Motion made by Councilman Lies, seconded by Councilman Clavadetscher to issue check to MVP in the amount of \$6,102.76, and to authorize a change order to install cable and phone to the Westana Subdivision. Motion carried unanimously.** Bob Fulton then addressed several questions brought up in an October 4, 2006 letter from the Contractor Smith Paving & Construction. Bob said he has responded to the letter answering the questions, however the question coming before the Council tonight, because of the significant increase in cost to remove the first 150 feet of chip seal surface with black dirt underneath, allegedly, and to accommodate the fact that the physical road on which the new road is going to be built is off set about 15 ft., so there will be an extra 15 ft of excavation for the last 500 ft of this road, plus the 150 ft at the beginning. Original low Contract Bid was \$88,022. Bob Fulton made calculations and showed the worst-case scenario total being \$126,127.00. Bob Fulton asked council for a motion to allow a representative of the City to do a couple of things. 1 being to overview several test holes drilled by the contractor confirming that there is black dirt under the chip seal and not gravel. He said it's not inconceivable that gravel will be found under there, second someone will need to confirm that the hole(s) match the bill with the total gravel that will be used. It was discussed how the road became off center to the Cougar Ridge Subdivision and it was also discussed no one would ever had known the increased cost in oil and asphalt. The original bond amount from the Westana Subdivision was \$ 117,195.00, noted by Joyce Weaver. **Motion made by Councilman Clavadetscher, seconded by Councilman MacDonald to approve the City to negotiate a change order with the contractor to complete tasks laid out by City Civil Engineer, Bob Fulton and to authorize an individual at a later date to work with the contractor to verify work requirements and work done. Motion carried unanimously.**

**RIVER LANDING - 20 UNIT CONDOMINIUM MAJOR SUBDIVISION - FINAL PLAT APPROVAL**-Joyce Weaver City Planner/Zoning Official stated every condition has been addressed in the packet by the applicant and it is the recommendation of the Planning Department that this project receive final plat approval based on all the materials and fees that have been collected to date. **Motion made by Councilman Corse, seconded by Councilman Funke to approve Final Plat of the River Landing 20 unit Condominium Major Subdivision. Motion carried unanimously.**

**MISSION BAY PRESERVE ORCHARD – 24 LOT MAJOR SUBDIVISION-- FINAL PLAT APPROVAL**-Joyce Weaver said this was packet labeled #7. She pointed out an added sheet from the developer who has bonded for some road improvements. The goal is to have it done in the next day or two depending on the weather, she said other wise the applicant has addressed all conditions, fees have been received, and it is the recommendation of the Planning Department for final approval for Phase I of Mission Bay Preserve - 10 lots. **Motion made by Councilman Clavadetscher, seconded by Councilman Funke, to approve final plat phase I of 10 lots Mission Bay Preserve Orchard. Motion carried unanimously.**

**RESOLUTION #936 – LEVY AND ASSESS SPECIAL IMPROVEMENT DISTRICTS FISCAL YEAR 06-07-** Polson City Treasurer Bonnie Manicke read the resolution to levy and assess special improvement districts, to defray the cost of making and acquiring improvements; and to levy and assess certain street light maintenance districts, noxious weed control maintenance, and sidewalk, curb & gutter improvements. Special Improvement Sanitary Sewer System District Number 38, commonly known as Lake Hills Estates \$3,787.16. Special Improvement Road Surface District #39, commonly known as Hillside Court \$2,949.32. Street Light Maintenance District #19 \$4,765.92. Street Light Maintenance District #20 \$2,908.12. Noxious Weed Control Maintenance \$3,654.00. Sidewalk, Curb & Gutter Improvements \$ 7,972.98. Total Assessments Levy \$26,037.50. **Motion made by Councilman Lies, seconded by Councilman MacDonald to approve Resolution #936 Levy and Assess Special Improvement Districts Fiscal Year 06-07. Motion carried unanimously.**

Mayor Ingram excused himself for the next agenda item, Councilman MacDonald chaired.

**PUBLIC FUNDS INVESTMENT BID – \$600,000 FROM GLACIER BANK @5.27%, 6 MONTHS – TO 4/10/2007; OTHER BIDS 1<sup>ST</sup> CITIZENS 5.25%, 1<sup>ST</sup> INTERSTATE 4.91%, AND COMMUNITY BANK 4.85%** City treasurer Bonnie Manicke addressed council with received investment bids from local financial institutions. Bids were as follows: Glacier Bank 5.27%; 1st Citizens 5.25%; 1st Interstate 4.91%; Community 4.85%. 6-Month Treasury Bill Yield 4.82%, Agency of U.S. Government yield 5.15%, Jumbo C/D rate 5.10%. **Motion made by Councilman Clavadetscher, seconded by Councilman Funke to approve public funds investment at Glacier Bank, \$600,000.00 6-month term with maturity April 10, 2007, at 5.27% as presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

**SEPTEMBER 2006 CASH REPORT-** City Treasurer Bonnie Manicke presented the September 2006 cash report and noted the negative fund balances Local Government Study Commission \$913.63, Bertram Hochmark Trust \$2,605.08 and Gas Tax appropriation \$14,978.04. The local Government Study Commission will finalize activities in November 2006. A transfer from the General All-purpose Fund will facilitate the negative balance when the commission activities are finalized. A receipt in the amount of \$10,000 to the Hochmark Trust Fund was received in October. The monthly gasoline tax revenue is \$8,282.58, therefore, the fund may carry a negative balance for a few months. **Motion made by Councilman Funke, seconded by Councilman Corse to approve the September cash report as presented by City Treasurer Bonnie Manicke. Motion carried unanimously.**

**RESOLUTION #938 – ADOPT BUILDING AND PLANNING DEPARTMENTS’ PROPOSED INCREASES AND ADDITIONAL FEES-** Councilman Clavadetscher commended City Planner/Zoning Official Joyce Weaver for the extremely comprehensive calculation of fees, he thanked her and the staff for getting all the information for the report. **Motion made by Councilman Clavadetscher, seconded by Councilman Corse to approve increases and additional fees for the Building and Planning Department. Motion carried unanimously.**

**STREETSCAPE TASKFORCE – ADVISORY SUB-COMMITTEE TO PRA** -Nathan Pierce asked council to approve an advisory Streetscape taskforce committee to help the Polson Redevelopment Agency identify projects, streetscape needs and coordinate the needs with other groups such as the Main Street Community, Polson Redevelopment and Downtown Business Owners. He said they would like to have seven members; three from the business community, one from the City, and at least one from the Polson Community Development Association and the Polson Redevelopment Agency. Councilman Clavadetscher asked if this was exclusive to Main Street or at least initially. Nathan said at this time it would be mainly downtown and west of the Post Office along 1st Avenue E. They would like to get some trees and greenery

as far as Streetscape and would happen in many phases. **Motion made by Councilman Clavadetscher, seconded by Councilman MacDonald to authorize the Polson Redevelopment Agency to Adopt an Advisory Sub Committee called Streetscape Task Force. Motion carried unanimously.**

**RESIGNATION AS MAYOR OF POLSON – RANDY INGRAM:** Randy told Council and Citizens present that it's been five years he has served as Mayor to the City of Polson, he said five great years and his honor to have served, the decision not being made lightly. Due to various events in his life has led him to believe now is the time for him to move on with his life and cease to be the Mayor to the City of Polson. The people he has met and the opportunity to be associated with, the staff, people he has been worked with on day-to-day basis. The fine gentleman and ladies he has had opportunity to work with as part of the Council. He said it has been great and appreciates all the support that he has been given, and with that said, Mayor Randy Ingram tendered his resignation as Mayor to the City of Polson effective as of the end of October 2006. He gave his commitment to everyone that he will make the transition for the City of Polson as easy as possible. Mayor Ingram again thanked everyone. Note: huge round of applause. Rick Smith addressed Council and City Attorney wanting to fully understand the process. He asked if the Council had to accept the Resignation. Mayor asked James Raymond, City Attorney if there's any provision for the acceptance of his resignation. City Attorney stated that there is no such requirement for the resignation to be accepted by the Council. Rick Smith asked for a new policy. He asked that "the Council would have to accept the resignation and before they do that there could be a period of Public Comment on the resignation of the Mayor respectfully". Mayor stated respectfully, as a matter of law the Council could not make exception to the law. Rick asked Attorney if he agreed and James stated yes.

**OTHER PUBLIC COMMENTS:** Jack Cross stated he was there on behalf of his entire family and this had come to everyone as a big shock. He told Mayor Ingram what a super job he has done and very, very proud of his representation of the city. People have watched him over the five years represent himself well. Jack spoke of the silent majority of thousands that Randy needs to listen to. Jack admitted being one of the quiet guy's sitting back and not saying anything. He spoke of two issues coming up, one being the vote in November to change the form of Government and the other being the budget process. Going into these things are going to be very hard with someone without a couple of years behind them. Jack feels the timing of this resignation is wrong and asked the Mayor to reconsider his timing and extend his date to November of 2007.

Bob Knoll spoke and said he would reiterate some of the same as Jack Cross. He told of going to some friends' house before the meeting tonight and explained the ashen look on some faces when told of the Mayor's resignation. The Mayor is told the face of youth has been brought to the town of Polson since he's been in office. He said Randy must have the courage of his conviction when he was elected. He thanked everyone for the job they have done and taking it on the chin. Bob asked to please reconsider the timing of this resignation. Bob said our current Mayor is the bright light for another generation.

Rick Smith stated he could still remember the meeting Randy was sworn in as Mayor. He thanked him for everything he has done for the City of Polson. He also thanked him for all the unfair bullets he has taken. Rick said some of the most important accomplishment under the current Mayor term is one city police force night and day fire department night and day. Looking at the relationship that has been forged with the Salish and Kootenai Tribes. Rick stated that many other administrators had the opportunity to do but never did. He thanked Randy for what he has done. He said leadership can be a little lonely sometimes. It's not a lot of fun and sometimes the events become bigger than the man, Rick believes that Randy has the ability and the leadership ability to handle the events right now. There are a lot of critics that are noisy and are a minority. The problem with the critics is that we do not know what their vision for this place is. They won't articulate

what their vision is. Rick said he would echo what Jack Cross said and asked Randy to go ahead and submit his resignation so there is some light at the end of the tunnel, cause that is important, but put it of down the road a little bit and give this city some time. Rick Smith thanked Randy for his years of service and said he appreciates all the work that has been done by Randy Ingram very much. He also mentioned, maybe if Randy got paid 3 times what he gets now it would be worth it.

Dan Morrison told the Mayor it had been an honor to serve with him during his term on the Council. He said Randy has been real visionary for the City of Polson and it will be a great disservice to the City People to see him leave. Dan requested him to reconsider his resignation truthfully. He thanked Randy for his service.

Tim McGinnis said in the last 13 years he's lived here the town has never looked better and contributed that to Randy. He asked Randy to please reconsider his resignation.

Cindy Willis admitted she hasn't always agreed with the Mayor, but has always respected the work that he has done and the vision that he has for the City of Polson. She said as an individual who pays taxes, but doesn't get vote in the City of Polson. She thanked Randy for what he has done, she wished that he would reconsider and if not thanked him for all the work he has done.

Margie Hendricks said the issue concerning Westana goes to the heart of the issue why citizens asked council two years ago to address conflicts of interest regarding Councilman Mike Maddy. Mr. Fulton has told council that the North 1/2 of the road belonging to Ken Siler had not been dedicated as a street at the time Councilman Maddy directed S&K Job Corp to develop a road. In fact Westana was not consulted at the time Councilman Maddy took on the project of developing the road and in fact the Westana 1/2 of the road would not be dedicated until several months later. It is her assertion Councilman Maddy had a conflict of interest in the approval process of the Bauer Subdivision, which is adjacent to the Westana Subdivision. At the time of the approval for the Bauer Subdivision there was no legal access to lot #1 of the Bauer Subdivision. The Council in 1999 approved a 2" water line for a hook up to Ken Silers house. A condition of that approval was that the 2" line could not be extended to allow for further subdivision. That line was however extended for lot #1. Lot #1 became a part of Cougar Ridge Subdivision intended to provide access to 15th Avenue East. Margie also said Mr. Maddy, Head Council for Water/Sewer and Building/Planning directed S&K Job Corp to build a road that had no legal approval by Council as access. It wasn't dedicated to the City and wouldn't be until a year later. There are other important issues connected with Westana, the Bauer Subdivision and Mike Maddy. She said she would document these issues at a later time.

Tony Porrizzo said he is fully understanding why Randy would want to quit. He told Randy he has brought this City out of the Stone Age and thinks he should stay.

Dennis Anderson thanked Council and congratulated Randy on all his great work. Dennis said instead of telling the Mayor what to do, he believes Randy already knows what to do in his heart. He offered something that had not as of yet been said, and that was if Randy would stay- "a personal pledge of support to the Mayor and Council to provide more input and more assistance". He also said that the silent majority will become a lot louder in this town  
Guaranteed. Note: huge round of applause

Murat Kalinyprak stated for the record that he had filed an agenda request form to be on the agenda to raise questions and make comments about ethics of certain acts of this Council and Mayor and that he was not on the agenda.

William (Bill) Ingram said as you look at this nation East and West people are piling up. They are moving and coming. He said more than likely 25 years from now this town could have 50 thousand people in it. He believes the Mayor, the Council members, and the supportive people from the city are visionary people. Get done what needs to be done for the on slot of people that will be coming. He said there needs to be more working together as a team to get ready for this to be a greater and greater city.

Karen Sargeant said everyone has worked together as a team in this city more so than any other place she has worked and states how important that it stays that way. She said the most important thing the Mayor has done is he has allowed the Superintendents to think outside the box and if what Bill Ingram has said is true and have that many people coming into this town we really need to think outside the box, progressive and forward thinking.

Doug Chase said he came here four years ago and lucky enough to get the position. He said the Mayor is young enough to be his son, but old enough with the wisdom, maturity, vision, and far-reaching abilities. Randy is competent in so many areas. Doug said to Randy "he has been supervised by Senior Officers, Sergeants, Lieutenants, Captains, Assistant Chiefs, Chiefs, County Commissioners, Mayors, City Council in his forty some years of service and none have been finer than you!" He said he was devastated when he heard the news. Doug said to Randy "You're a man with immense integrity, you're a man of immense common sense, you're a man of excellent communication skills, and your maturity shows daily." Doug said as Karen had said every department head would echo Randy has allowing them to run their ships with occasional guidance and said it had been a pleasure to work with him.

Dennis Duty asked Randy if he would reconsider the timing of his resignation.

Mayor, Randy Ingram said he would make the commitment to do everything that needs to be done to make the transition as smooth as possible. He said he is not sure what that means. He feels there are options, but from the bottom of his heart at this point his resignation is the right thing to do for his family and himself. Randy said he would not be turning his back on the city of Polson. Note huge round of applause. Randy thanked the Citizens and told them this means a lot.

Dennis Duty thanked Randy for all the time and energy he has given to the City of Polson.

Tom Corse said among the achievements Mayor Ingram has accomplished in his term was improving the relations with the Tribes. The most significant result of that including the relationships was the fact that water was brought across the river and in to the town, essentially solved the short-term water problems. This would have been impossible without Randy's leadership abilities communication skills and his amazing way to get along with people. Tom asked the public to make sure that the Council does not take any steps that would reverse that progress. It is absolutely necessary to work hand in hand with the Tribes for the betterment of Polson and for that matter Lake County. If the Citizens see the Council veering off away from that goal, he requested for the people to please stand up, speak out be counted and get them back on line. It cannot be afforded to lose the progress Randy has made with the Tribes.

**Meeting adjourned 8:15 P.M.**

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**Mayor Ingram, Presiding**

**ATTEST:** \_\_\_\_\_  
**Beth A. Smith, Assistant Clerk**