

**CITY COMMISSION MEETING MINUTES  
CITY HALL-CITY COMMISSION CHAMBERS  
MONDAY, OCTOBER 20, 2008**

**ATTENDANCE:** City Commissioners: Jim Sohm, Jules Clavadetscher, Elsa Duford, Fred Funke. Bruce Agrella absent. Interim City Manager Mike Lies and City Attorney James Raymond present. Mayor Lou Marchello presiding.

**Mayor Marchello called the public hearing to order.**

**PUBLIC HEARING – TO INCREASE WATER RATES BY 15 CENTS PER 1,000 GALLONS AND SEWER RATES BY 17 CENTS PER 1,000 GALLONS – EFFECTIVE NOVEMBER 16 TO DECEMBER 16 BILLING WHICH IS MAILED OUT JANUARY 1, 2009:** Mayor Marchello asked if there were any proponents for the water rate increase. Water and Sewer Superintendent Tony Porrazzo explained that the annual water and sewer rate increases were already approved several years ago by the City Council, however each individual increase required an ordinance approved by the City Commissioners. Commissioner Sohm asked when the Council first approved the rate increases. Water and Sewer Superintendent Porrazzo replied that it had been in 2005 after receiving a TSEP grant, which the City had to match at a 5.6% increase. Commissioner Duford asked if the water and sewer department was applying for another grant. Water and Sewer Superintendent Porrazzo replied that the City was still in the TSEP grant cycle and also the DNRC grant. He added that there were looking into others as well. City Manager Lies noted that this was the first year they had increased sewer rates in quite some time, but there were big projects coming up for the sewage system. Commissioner Duford questioned if the City should be raising rates during these difficult economic times. Commissioner Clavadetscher pointed out that the City Council had committed that they would continue to raise the rates to just barely above what the State demands. Denying the variable increase could end up costing the ratepayers thousands in lost grant revenue. City Manager Lies noted that if the City did not increase the rates, later they could be forced to increase them by 5 dollars at a time rather than a few cents. Commissioner Duford asked if the residents of the City were still being asked to conserve water. Water and Sewer Superintendent Porrazzo replied that the same policies were all still in place in regards to water usage. Commissioner Duford noted that she had seen monthly water bills over 200 dollars in the past year. Water and Sewer Clerk Beth Smith informed the Commissioners that with 60 lbs. of pressure, watering with one sprinkler for one hour is 500 gallons. If you water an hour in the morning and again at night every other day for 15 days is 15,000 gallons. A typical family uses between 6-8,000 gallons of water without watering the lawn, and once you go over 10,000 gallons you are bumped up to a higher cost rate structure and it is easy for a typical family to receive a \$200 water bill or higher in the summer. **No further comments were made. The public hearing adjourned at 6:40 p.m.**

**7:00 COUNCIL MEETING**

**Mayor Marchello called the meeting to order and the Pledge of Allegiance was recited. There was a moment of silence for Carol Sampson Sherick.**

**APPROVAL OF THE PROPOSED AGENDA:** Commissioner Clavadetscher moved to approve the agenda with the exception of agenda item 9 – request new City Manager to develop criteria for naming or re-naming City owned or managed property. Commissioner Sohm seconded the motion. **The motion passed unanimously.**

**CONSENT AGENDA:**

- A. CITY COMMISSION MEETING MINUTES, SEPTEMBER 26, 2008**
- B. CITY COMMISSION MEETING MINUTES, OCTOBER 1, 2008**

**C. CITY COMMISSION MEETING MINUTES, OCTOBER 6, 2008**

**D. ALL BEVERAGE LIQUOR LICENSE – TEE BOX CAFÉ – ABIGAIL J. DOOLEY**

**E. OCTOBER 1-15 CLAIMS**

**Commissioner Funke moved to approve the consent agenda, seconded by Commissioner Sohm.** Commissioner Duford brought attention to page one of the October 1<sup>st</sup> minutes, she felt that changing the Mayor from the City Manager to negotiate the new City Manager was inconsistent with the Charter. Commissioner Clavadetscher pointed out that they were approving the minutes, which was a record of what was said. Commissioner Sohm noted that he saw a conflict of interest in the leaving City Manager negotiating a contract with an incoming City Manager. Commissioner Duford expressed her displeasure when a member of the public was asked to sit down at the previous meeting. **The motion passed unanimously.**

**GOLF BOARD RECOMMENDATIONS FOR GOLF BOARD MEMBER APPOINTMENTS:**

Tom Corse informed the Commission that the Golf Board had met the previous Thursday to vote on the appointments. Doug Morigeau was the only applicant for Ward I. Dave Sheesley and Jerry Raunig were chosen by secret ballot as at large members. **Commissioner Clavadetscher moved to approve the Golf Board appointments as recommended by the Golf Board, seconded by Commissioner Funke.** Murat Kalinyaprak suggested the Council chose Mike Lies for the golf board because he would represent the City well and he was not from Mission Bay. **The motion passed with Commissioners Sohm, Clavadetscher, Funke and Mayor Marchello in favor, Commissioner Duford opposed.**

**APPROVE AREA MAP FOR ANNEXATION ORDINANCE #637:** City Manager Lies explained the conceptual map and pointed out the existing boundaries. He stressed that the map was conceptual and nothing was being annexed at this time. Commissioner Clavadetscher noted that they must have the area map completed and approved before any annexations can take place. **Commissioner Clavadetscher moved to approve the area map for annexation ordinance #637, seconded by Commissioner Sohm. The motion passed unanimously.**

**EAGLE SCOUT PROJECT – INFORMATION KIOSK FOR TRAVIS DOLPHIN DOG PARK –**

**SAM BOYLE:** Parks Superintendent Karen Sargeant informed the Commissioners that this project was continuation of the projects by Troop 1947, which had adopted Travis Dolphin Dog Park. Sam Boyle explained that he had helped with previous projects in the dog park and felt a double-sided information kiosk would be good for the public. One side would be locked for vet clinic, humane society and other dog organizations while the other would be open for the public to hang flyers. There would be no cost to the City for the project. Scouts and community volunteers would construct the kiosk. Commissioner Clavadetscher asked if the Scouts would monitor and upkeep the kiosk. Sam Boyle replied that they would. Parks Superintendent Sargeant noted that in Kent, WA they have coordinating information kiosks that were all done by Eagle Scouts. She added that a lot of the dog park users were from out of town and the information would be very beneficial for them. Commissioner Clavadetscher asked how they would identify that the Scouts had done the project. Sam Boyle replied that they had been considering a plaque with all of the projects completed by Scouts for the park. **Commissioner Clavadetscher moved to approve the Eagle Scout project for an information kiosk at Travis Dolphin Dog Park, seconded by Commissioner Funke.** Commissioner Funke noted that it was a great idea and the Scouts should be commended. Tom Corse agreed that it was a great idea and noted that parks department had done well to maintain the park after the Scouts had cleaned it up. Mayor Marchello noted that the dog park was an asset to the community. **The motion passed unanimously.**

**ORDINANCE #639 – FIRST READING – INCREASE WATER RATES BY 15 CENTS PER 1,000 GALLONS AND SEWER RATES BY 17 CENTS PER 1,000 GALLONS – EFFECTIVE NOVEMBER 16 TO DECEMBER 16 BILLING WHICH IS MAILED OUT JANUARY 1, 2009:**

**Commissioner Funke moved to approve Ordinance #639, seconded by Commissioner Sohm. The motion passed unanimously.**

**SHOULD CITY HIRE A FIRE CONSULTANT:** City Manager Lies indicated that the rural department and the fire fighters had met and both had been in favor of hiring a fire consultant. They were considering one study which would cost \$9,000, and the rural fire department and the volunteer fire fighters had each committed approximately \$3,000 to cover the cost. The benefit of the fair grounds location was that the land would be free, the drawbacks were the condition of Regatta Road and the intersection was not ideal. The cost of a new traffic signal at that intersection would cost around \$220,000. Commissioner Clavadetscher asked if the fire department had permission to use the fair grounds for a new station. City Manager Lies replied that they did. Commissioner Duford pointed out that the fair grounds have water and sewer already. Mayor Marchello noted that Stone Horse subdivision also had an area set up for a rural station. Commissioner Clavadetscher asked if there was any funds budgeted for the study. City Manager Lies replied that the \$3,000 could be taken out of the fire departments funds. **Commissioner Clavadetscher moved to approve hiring a fire consultant, seconded by Commisisoner Funke.** Commissioner Clavadetscher noted that a second fire station could be a contentious issue and having an expert opinion would be beneficial for the City. Commissioner Duford expressed concerns regarding Armed Forces Memorial Bridge. Mayor Marchello pointed out that MDOT would be redoing the bridge in the next year or so and it would be a mess. Fire Captain Tony Porrazzo expressed that Regatta Road was terrible and would not be able to support the fire vehicles. He spoke on behalf of the volunteer fire fighters saying they were in favor of a new station, but they need to know where to put it. **The motion passed unanimously.**

**SEPTEMBER 2008 CASH REPORT:** City Treasurer Bonnie Manicke informed the Commission that real estate taxes were presently being run, and the revenue could be seen in late October or early November. There was a debt service payment for the fire truck which had 2½ years remaining. The total cash value of the City of Polson was \$5,585,606.52. **Commissioner Sohm moved to approve the September 2008 cash report, seconded by Commissioner Clavadetscher. The motion passed unanimously.**

**DISCUSS WARD 2 REPRESENTATION FOR PERIOD UNTIL NEW CITY MANAGER IS HIRED:** Commissioner Clavadetscher explained that since ward 2 had been under represented for some time and there will likely be 90 days before another City Manager, the issue of ward 2 needed to be addressed. City Manager Lies said that he had everything pretty well caught up in the City Manager office and he could go to part time duties. Mayor Marchello expressed concern over a possible conflict of interest. Commissioner Clavadetscher shared that concern, but did not know who could replace Mr. Lies. Commissioner Duford asked if the people of Ward 2 felt that they did not have representation with Commissioner Lies serving as the interim City Manager. Commissioner Clavadetscher replied that it was a constitutional issue in regards to the number of votes Ward 2 casts. Commissioner Sohm noted that a gentleman had expressed his displeasure at not having adequate representation during the meeting when Commissioner Clavadetscher was appointed. City Manager Lies advised that he would contact someone to serve as the Interim Commissioner until a new City Manager is chosen.

**CITY MANAGER COMMENTS:** City Manager Lies informed the commission that the no parking from 3 am – 6 am were up on Main Street. The City had reached an agreement with Smith Paving and they began work earlier that day on 15<sup>th</sup> Avenue. Commissioner Clavadetscher thanked Mr. Lies for all his work. City Manager Lies explained that they had begun work on widening Skyline, however Centurytel had buried fiber optic cables only 1' underground very close to the shoulder of the existing street. They would be working on that situation. He mentioned talking to the census bureau representative at the MT League of Cities and Towns conference. She thought much of it would have to

Polson City Council Meeting Minutes October 20, 2008

be redone, but the Federal Government would be paying for it. He would find out the 3<sup>rd</sup> week of November what needed to be done.

Mayor Marchello expressed appreciation for the notes City Manager Lies had provided on the MLTC Conference to the Commission. He suggested the Commission call a special meeting on Monday, October 27, 2008 at 5:30 p.m. to vote on the finalist the Search Committee had chosen.

**PUBLIC COMMENT ON MATTERS OF SIGNIFICANT INTEREST TO THE PUBLIC NOT ON THE AGENDA:** Murat Kalinyaprak thanked Commissioner Duford for recognizing what was done to him was wrong. He commented that the Commission had become oppressive on limiting public participation. In November 2006 public discussion was changed to comment which limited questions the public could ask, including Commissioner Duford before she was elected. He commented that he was the only one that the 3-minute rule was applied to. The sign in sheet was eliminated. He questioned the new way public comment was on the agenda, and wondered where they got the definition for ‘matters of significant interest to the public’ because there was no description in the MCA. He accused some of the Commissioners and the City government as being nationalist, tyrannical, and despotist. He commented that the reciting of the Pledge of Allegiance, rename the bridge, and the eyesore of a monument at Riverside were examples of the nationalistic despotism.

**EXECUTIVE SESSION:** Litigation was discussed. The commissioners gave their recommendations to City Attorney Raymond.

**The meeting adjourned at 8:15 p.m.**

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**Mayor Lou Marchello**

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