

**CITY COMMISSION MEETING MINUTES  
CITY HALL – CITY COMMISSION CHAMBERS  
MONDAY, NOVEMBER 2, 2009, 7:00 P.M.**

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

**CALL TO ORDER: Mayor Marchello called the meeting to order. The Pledge of Allegiance was recited.**

**APPROVAL OF PROPOSED AGENDA: Commissioner Sohm moved to approve the agenda as proposed, seconded by Commissioner Funke. The motion carried unanimously.**

**CONSENT AGENDA:**

**A. CITY COMMISSION MEETING MINUTES OF OCTOBER 19, 2009**

**B. OCTOBER 15-30 CLAIMS**

**Commissioner Lies moved to approve the consent agenda items A and B, with typographical corrections to the October 19<sup>th</sup> minutes. Commissioner Agrella seconded the motion.** Commissioner Duford commented that the Lakeview Knolls annexation that was approved in the October 19<sup>th</sup> minutes was questionable. She felt the access was unclear, and questioned whether the City should accept the parcel. Commissioner Lies pointed out that Dennis Duty had clearly stated where the access would be available off of Skyline and not through Ridgewater. Commissioner Duford also questioned the accuracy of Roger Noble's water analysis, adding the cost of the presentation was \$3,000. **The motion to approve the consent agenda carried unanimously.**

**PRESENTATION: SEWER SYSTEM INFORMATIONAL UPDATE – FRED PHILLIPS FROM GREAT WEST ENGINEERING – SHARI JOHNSON FROM THOMAS DEAN & HOSKINS:** Water and Sewer Superintendent Tony Porrazzo explained that the sewer department had been researching viable wastewater systems for the past four years. They had already begun the headwork of the project, which would be compatible with whichever system they chose. Engineer Shari Johnson and Fred Phillips gave a presentation detailing the various wastewater systems they had been looking at. Engineer Johnson mentioned that the City had received a \$15,000 grant, with no match needed, to travel to and tour other sites. They had been to several locations, and felt that the membrane filter (MBR) technology would be the best fit for Polson, and compliant with upcoming federal regulation guidelines. Engineer Fred Phillips cited the two locations they were looking to the east and west of Kerr Dam Road, noting the drawbacks and benefits of both sites. They presented a preliminary analysis and would be working on a more detailed cost analysis of the locations for comparison, including the retrofitting of the Tamsco building. Commissioner Clavadetscher was wary of being forced into the Tamsco building, adding that he would like to see a firm estimate of a new building, especially with the cheaper cost of building at the current time. At the request of the

Commissioners at their last meeting, the City Manager presented further analysis of the rate study to clarify the amount of projected revenues under the new rate structure that could be applied to the cost of new facilities. An updated estimated cost of the facilities was presented. He also explained in detail how the study had been built with 2009 as the baseline year (before the new rates), 2010 as the year of implementation, and 2014 as the end of the 5-year projection.

**ORDINANCE #651 – FIRST READING SEWER RATE CHANGE: Commissioner Clavadetscher moved to approve the first reading of Ordinance #651, sewer rate change. Commissioner Funke seconded the motion.** Commissioner Duford felt the rate change was unfair. Keeping up with the regulation changes would do no good if the ratepayers could not afford the increase. She commented that the numbers used to calculate the increase were not accurate, they were 2009 rather than 2008 rates. Engineer Johnson responded that was a difficult choice for many municipalities she works with. She recommended a gradual, incremental increase over time, to responsibly prepare for the upcoming change in regulations and the end of the useful life of the current treatment facility. Commissioner Clavadetscher noted that even with the increase the City would still have to borrow nearly half the funds. He also felt the rate change was more fair to the individual, as those who used less would be charged less. Commissioner Lies noted a typographical error on exhibit A of the resolution. **Commissioner Clavadetscher moved to amend the motion to include the correction of exhibit A. Commissioner Funke seconded the amendment. The amendment carried with 6 in favor, and Commissioner Duford opposed. The motion to approve Ordinance 651, with corrections, carried unanimously.**

**ORDINANCE #650 – SECOND READING – TO ALLOW CHICKENS IN POLSON: Commissioner Funke moved to approve the second reading of Ordinance 640, to allow chickens in Polson. Commissioner Clavadetscher seconded the motion.** Lee Manicke commented that some people lived in the City to be away from farm animals. He felt that the criteria and guidelines of the ordinance were inadequate and left room for loopholes to have a limitless amount of chickens. He believed they should not pass the ordinance. Mayor Marchello pointed out that the limit of a maximum of 6 hens was in the ordinance. City Manager Crossett pointed out they could add additional clauses to be clear and put restrictions on feed and slaughtering. Commissioner Duford felt that controlling the nuisance was not covered by the ordinance. Commissioner Sohm called attention to Bozeman's chicken ordinance, which was far more specific with the stipulations to own chickens. Mayor Marchello pointed out they could table the reading to add more regulation. Chris Ayers beseeched the Commissioners to table the ordinance and add more regulations, even limiting the amount to two hens, rather than fail the ordinance. Commissioner Agrella felt that allowing hens would open Pandora's box. City Manager Crossett mentioned the City of Bozeman's chicken ordinance had just passed, and that he would be more than happy to revise the ordinance to reflect more strict regulations. **The motion failed 3-4, with Commissioners Funke, Clavadetscher and Mayor Marchello in favor and Commissioners Duford, Lies, Agrella and Sohm opposed.**

**ORDINANCE #652 – SECOND READING – AMEND MUNICIPAL CODE 2.48.010 TO PROVIDE FOR VOLUNTEER FIREFIGHTERS AT THE AGE OF 18 RATHER THAN 21:** Commissioner Lies moved to approve the second reading of Ordinance #652, amending the age required for volunteer firefighters. Commissioner Agrella seconded the motion. The motion carried unanimously.

**RESOLUTION #1002 – INTENT TO ANNEX WHOLLY SURROUNDED PROPERTIES IN SKYLINE ADDITIONS #1, 2 & 3 AND SCHEDULE A PUBLIC HEARING ON MONDAY, DECEMBER 7 AT 6:30 P.M.:** Commissioner Clavadetscher moved to approve Resolution #1002, the intent to annex wholly surrounded properties in Skyline additions #1, 2 & 3 and schedule a public hearing on Monday, December 7<sup>th</sup> at 6:30 p.m. Commissioner Lies seconded the motion. The motion carried unanimously.

**CITY MANAGER COMMENTS:** City Manager Crossett mentioned that the bid would be opening this week for the Main Street water line upgrade. He recommended they wait until the end of the holiday season to begin construction. He was currently having on going discussions with the Streetscape committee, which was still in need of \$300,000. He had attended meetings with the Tribe and County to discuss stormwater, and there would be a public meeting scheduled for November 18<sup>th</sup>. He was tracking complaints of the smoking issue on Main Street, which seemed to be having less of an impact. He was also researching an ordinance addressing the issue. Commissioner Clavadetscher asked how the City’s revenue would be impacted by the property tax situation. City Manager Crossett replied that the first step, which had already been implemented, was to cut down on expenditures from the general fund. The next would be to cut and reduce services or to borrow funds.

**PUBLIC COMMENT ON MATTERS OF SIGNIFICANT INTEREST TO THE PUBLIC NOT ON THE AGENDA:** Commissioner Duford commented that in all their planning for the future, they must not forget to take care of the current residents. She noted several breaks in the old infrastructure’s sewer line. Police Chief Doug Chase announced that the bridge was now open, however it would be closed again over the weekend and worked on at night.

**The meeting adjourned at 8:30 p.m.**

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**Mayor Lou Marchello**

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